

City of Miami Beach - City Commission Meeting
Commission Chambers, 3rd Floor, City Hall
1700 Convention Center Drive
February 25, 2004

Mayor David Dermer
Vice-Mayor Jose Smith
Commissioner Matti Herrera Bower
Commissioner Simon Cruz
Commissioner Luis R. Garcia, Jr.
Commissioner Saul Gross
Commissioner Richard L. Steinberg

City Manager Jorge M. Gonzalez
City Attorney Murray H. Dubbin
City Clerk Robert E. Parcher

Visit us on the Internet at www.miamibeachfl.gov for agendas and video "streaming" of City Commission Meetings.

ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

Call to Order - 9:00 a.m.
Inspirational Message, Pledge of Allegiance
Requests for Additions, Withdrawals, and Deferrals

Presentations and Awards

PA Presentations and Awards

Consent Agenda

C2 Competitive Bid Reports
C4 Commission Committee Assignments
C6 Commission Committee Reports
C7 Resolutions

Regular Agenda

R2 Competitive Bid Reports
R5 Ordinances
R6 Commission Committee Reports
R7 Resolutions
R9 New Business and Commission Requests
R10 City Attorney Reports

Reports and Informational Items

Miami Beach



2003

*"We are committed to providing excellent public service
and safety to all who live, work, and play in our vibrant, tropical, historic community."*

PA - Presentations and Awards

- PA1 Certificates Of Appreciation To Be Presented To Steve Sauls, Roland Kohen, Diane Heller, Pauline Winick, Clark Reynolds And Kathryn Orosz For Their Many Years Of Dedication To The Cultural Arts Council. (Page 1)
(Requested by Mayor David Dermer)
(Deferred from February 4, 2004)
- PA2 Police Athletic League Appreciation Awards And 45th Anniversary Recognition.
(Requested By Mayor David Dermer)
- PA3 Certificate Of Appreciation To Be Presented By SFC Steve Foren To Jorge M. Gonzalez And Special Personal Recognition To The Mayor And Commission, Mercy Lamazares, Vashanna McIntosh-Moorer And Jorge Gomez For Their Support Of CMB Service Members While Deployed.
(Planning Department)
- PA4 Certificates Of Appreciation To Be Presented To Employee Of The Month "At Your Service Award" Winners For January And February 2004.
(City Manager's Office)
- PA5 Certificate Of Appreciation To Be Presented To Lebbie Lee For Retiring After 18 Years Of Service At The Miami Beach Police Department.
(Requested by Commissioner Luis R. Garcia)
- PA6 Certificate Of Appreciation To Be Presented To Members Of City's Staff Who Serve As "BIGS" For Big Brothers Big Sisters Of Greater Miami.
(Requested by Commissioner Richard L. Steinberg)
- PA7 Certificates Of Completion To Be Presented To The Participants Of The City's Neighborhood Leadership Academy.
(City Manager's Office)

CONSENT AGENDA**Action:****Moved:****Seconded:****Vote:**

C2 - Competitive Bid Reports

- C2A Request For Approval To Issue Purchase Orders Pursuant To Florida State Contract No. 03-11-0825, To Duval Ford, In The Amount Of \$427,605, For The Purchase Of Twenty-Two (22) 2004 Ford Taurus Vehicles, Two (2) 2004 Ford Explorer 4x4 Vehicles, Three (3) 2004 Ford F-150 4x2 Pick Up Trucks, One (1) 2004 Ford E-250 Cargo Van And One (1) Ford E-150 Cargo Van; To Garber Chevrolet, In The Amount Of \$62,805.75, For The Purchase Of Five (5) 2004 Chevrolet Cavaliers; To Garber Ford, In The Amount Of \$13,635.15, For The Purchase Of One (1) 2004 Ford Ranger 4x2 Pick Up Truck; And To Atlantic Truck Center, In The Amount Of \$98,196, For The Purchase Of One (1) 2004 Ford F-750 Asphalt Truck. (Page 4)
(Fleet Management)
- C2B Request For Approval To Issue A Purchase Order To Duval Ford, In The Amount Of \$292,905, For The Purchase Of Fifteen (15) 2004 Ford Crown Victoria Police Pursuit Vehicles Pursuant To Florida State Contract No. 03-11-0825. (Page 9)
(Fleet Management)
- C2C Request For Approval To Award A Contract To TM Systems, LLC., As The Sole Source Provider For Spanish Language Translation And Subtitling Services At An Estimated Cost Of \$75,000 For The Remainder Of FY 2003/04. (Page 12)
(City Clerk's Office)

C4 - Commission Committee Assignments

- C4A Referral To The Finance And Citywide Projects Committee - Discussion Regarding A Proposed Multi-Purpose Space Expansion To The Miami Beach Convention Center. (Page 20)
(City Manager's Office)
- C4B Referral To The Neighborhood / Community Affairs Committee The Following Ordinances: 1) An Ordinance Amending Chapter 102 Of The City Code, Entitled "Taxation"; Amending Division IV Therein, Entitled "Tax"; Amending Article V Therein, Entitled "Occupational License Tax"; Amending Section 102-379 Therein, Entitled "Schedule Of Taxes"; Said Amendment Providing For A Five Percent Discount Toward A Subsequent Year's Occupational License If The Licensee Receives No Code Violations During The Previous Year; And 2) An Ordinance Amending Section 98-166 Of The City Code, Entitled "Duty To Maintain Sidewalks And Swale Areas" By Providing A Minimum Standard Of Sidewalk Maintenance By Every Merchant, Store Keeper Or Operator Of A Business; Said Standard Being To Sweep The Sidewalk At The Opening And Close Of The Business Day.
(Page 26)
(City Manager's Office)

C6 - Commission Committee Reports

- C6A Report Of The Finance And Citywide Projects Committee Meeting January 28, 2004: **1)** Discussion Regarding The Proposed Amendments To The Beachfront Concession Agreement By And Between The City And Boucher Brothers, Miami Beach, LLC; **2)** Discussion Regarding Community Benefit Revisions For The Jackie Gleason Theater Of Performing Arts (TOPA); **3)** Discussion Of The Results Of Negotiations With Market Company, Inc.: a. Fees For Vendor/Merchant Spaces; b. Off-Duty Police; c. Fee/Concession Revenue; And **4)** Discussion Regarding Old City Hall Structural Repairs. (Page 31)
- C6B Report Of The Joint Finance & Citywide Projects And Neighborhood/Community Affairs Committee On January 28, 2004: **1)** A Presentation And Discussion Of The Basis Of Design Report For Phase II Of The South Point Neighborhood Right Of Way Improvement Project. (Page 37)
- C6C Report Of The General Obligation Bond Oversight Committee Meeting Of February 2, 2004: **1)** Change Order Report; **2)** Discussion Items; a) Project Sequencing Update; **3)** Project Status Report: a) Fire Station No. 2; b) Fire Station No. 4; c) Normandy Isle Park And Pool; d) Scott Rakow Youth Center; **4)** Informational Items: a) Updated Calendar Of Scheduled Community Meetings; And **5)** Additional Item: a) Normandy Isle/Normandy SUD A/E Additional Services. (Page 43)
- C6D Report Of The Land Use And Development Committee Meeting Of February 9, 2004: **1)** Selection Of Chairperson And Vice-Chairperson Per Resolution No. 2003-25446; And **2)** Discussion On Lincoln Road Street End Project. (Page 53)

C7 - Resolutions

- C7A A Resolution Authorizing The City Manager Or His Designee To Submit Applications For Grant Funds To The Following Agencies: **1)** Florida Department Of Community Affairs, Division Of Emergency Management For Grant Funds In An Amount Not To Exceed \$13,000 Made Available Through The 2004-2005 Community Emergency Response Team Program; **2)** Florida Department Of Community Affairs Made Available Through The United States Department Of Justice Operation Liberty Shield Reimbursement Grant Fund Program In An Amount Not To Exceed \$75,000; And **3)** Two Applications To The Florida Department Of Community Affairs, Division Of Emergency Management, For Funds Available From The Emergency Management And Assistance Trust Fund; Also Authorizing The Execution Of A Subcontract Agreement Between The City Of Miami Beach And The Florida International University Board Of Trustees For Grant Funding From The U.S. Department Of Housing And Urban Development In The Amount Of \$319,714 For The North Shore Park And Youth Center Renovation Project; Further Appropriating The Aforestated Grants If Approved And Accepted By The City, And Authorizing The Execution Of All Necessary Documents Related To These Applications. (Page 56)

(Grants Management)

C7- Resolutions (Continued)

- C7B A Resolution Approving Amendment No. 2, In The Amount Of \$30,500, To The Agreement, Dated July 18, 2001, With Tetra-Tech WHS, Formerly Known As Williams, Hatfield And Stoner, A/E Consultant For The Normandy Isle/Normandy Sud Right Of Way (ROW) Infrastructure Improvement Project, For The Re-Design Of The Lighting System (Per New City Standards), A Planning Study Related To Hardscape And Landscape Revisions Arising From The Community Design Review Meeting, And For Administration, Specifications And Reimbursables Associated With The Additional Scope Of Work; All As More Particularly Described In Exhibit "A," The Fee Detail, And Exhibit "B," The Geographic Area, Of The Additional Services Referenced In Said Amendment No. 2.
(Page 69)
(Capital Improvement Projects)
- C7C A Resolution Accepting The Funding Contribution From UNIDAD Of Miami Beach, Inc., D/B/A MBHCC, (The Tenant), In The Amount Of \$150,135.28 For Its Share Of The Tenant Improvements To The Second Floor Space Of The South Shore Community Center; And Further Appropriating Said Funds For The Project. (Page 80)
(Capital Improvement Projects)
- C7D A Resolution Rejecting All Proposals Received In Response To Request For Qualifications (RFQ) 16-02/03 For The Planning, Design, And Construction Administration Services Needed To Complete The South Pointe Park Improvement Project. (Page 87)
(Capital Improvement Projects)
- C7E A Resolution Electing Commissioner Saul Gross As Vice-Mayor For A Term Commencing On March 1, 2004, And Terminating On June 30, 2004, Or On Such Date When A New Vice-Mayor Is Thereafter Elected. (Page 92)
(City Clerk's Office)
- C7F A Resolution Extending The Professional Services Agreement For Federal Legislative Services With The Firm Of Jorden, Burt, Berenson, And Johnson LLP, In The Total Amount Of \$90,000, To Provide Governmental Representation And Consulting Services In Washington, D.C., On An Ongoing Basis, For The Period From February 19, 2004, Until February 18, 2005. (Page 95)
(Economic Development)
- C7G A Resolution Waiving, By 5/7ths Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The Mayor And City Clerk To Execute An Agreement With Motorola, Inc., In The Amount Of \$84,875, For A Seven (7) Month Period From March 1, 2004, Through September 30, 2004, For Maintenance Of The Computer Aided Dispatch System (CAD); Said Agreement Renewable For Four (4) Additional One Year Terms, At A Cost Of \$189,901 For The First Option Year (Year 2), Which Will Also Include Seven (7) Months Of Maintenance Fees For The Fire Records Maintenance System (FRMS) And Law Records Maintenance System (LRMS); Provided Further That Maintenance Costs For All Three Systems (CAD, FRMS, LRMS) For The Second Option Year (Year 3) Are Estimated At \$226,236, With Subsequent 3% Per Year Increases. (Page 100)
(Information Technology)

C7- Resolutions (Continued)

- C7H A Resolution Authorizing The Mayor And City Clerk To Execute A Change Order To The Communications System Agreement Between Motorola, Inc. And The City Of Miami Beach, Approved By The City Commission On April 30, 2003; Said Change Order, In The Amount Of \$521,159, Incorporating The Following Changes: Deletion Of The 75th Street Reservoir Tower As An Antenna Site And The Equipment Thereto; Deletion And Removal Of The Fire Station No. 2 Tower And Equipment; And Adding Antennas, Shelters And Equipment At The Parkview Point And The Council Towers Buildings Respectively; And Making Required Changes To The Microwave System.
(Page 107)
(Information Technology)
- C7I A Resolution Approving And Declaring The Existence Of A Short-Term Parking Emergency Created As A Result Of The Vistas Condominium Parking Garage Renovation, Located At One Century Lane, From March 1, 2004, Through November 30, 2004, Due To Anticipated Increased Traffic And Parking Demand Caused As A Result Of The Renovation; Allowing For The Provision Of The Vacant Lot Located At 1231-1251 17th Street, Owned By The Housing Authority, To Be Utilized To Satisfy Said Increased Demand; Provided That The City Shall Further Require Parking Operators To Secure The Appropriate Security, Insurance And Occupational Licenses Required By The City Code To Operate Self-Parking Operations For The Purposes Set Forth In This Resolution. (Page 114)
(Parking Department)
- C7J A Resolution Adopting And Appropriating The Second Amendment To The Police Confiscation Trust Fund Budget For The Fiscal Year 2003/04 In The Amount Of \$232,650 To Be Funded From The Proceeds Of Federal-Justice Confiscated Funds. (Page 121)
(Police Department)
- C7K A Resolution Approving The Sole Source Purchase Of Manifold Assemblies Needed For The City's Large Water Meters From Sensus Metering Systems, In The Estimated Amount Of \$45,000, And The Sole Source Purchase Of Water Meters And Automatic Meter Reading Systems Needed For The City's Large Meters And Meter Parts From Sensus Metering Systems, In The Estimated Annual Amount Of \$200,000. (Page 126)
(Public Works)
- C7L A Resolution Approving The Sole Source Purchase Of American Darling Fire Hydrants From American Flow Control, In The Estimated Annual Amount Of \$60,000. (Page 131)
(Public Works)
- C7M A Resolution Appropriating Funds In The Amount Of \$210,000 From The FY 04 General Fund Operating Contingency, And Awarding A Contract To Sunryse Construction Services, Inc., Pursuant To Invitation To Bid No. 07-03/04, Glass Block Removal And Window Replacement At The Miami Beach Police Station In The Amount Of \$155,000. (Page 136)
(Public Works)

C7- Resolutions (Continued)

- C7N A Resolution Setting The First Public Hearing, In Accordance With The Requirements Of Sections 163.3220 - 163.3243, Florida Statutes, Also Referred To As The Florida Local Government Development Agreement Act, On Wednesday, March 17, 2004, To Consider Approving, On First Reading, A Proposed Development Agreement Between The City Of Miami Beach And AR&J SOBE, LLC (a/k/a Potamkin/Berkowitz) For The Development Of The Project, Presently Referred To As "5th And Alton," Containing Approximately 179,000 Square Feet Of Retail Area And A Supermarket And An Approximate 943 Space Parking Garage Facility, Including An Intermodal/Transportation Component, An Integrated Parking Garage, Vertical Transportation, Ramps, Ventilation, Etc., And Surrounding Streetscape And Public Infrastructure To Serve The Project, Bounded By Lenox Avenue On East, Alton Road On West, 6th Street On North And 5th Street On The South, In Miami Beach. (Page 141)

(City Manager's Office)

End of Consent Agenda

PA - Presentations and Awards

- PA1 Certificates Of Appreciation To Be Presented To Steve Sauls, Roland Kohen, Diane Heller, Pauline Winick, Clark Reynolds And Kathryn Orosz For Their Many Years Of Dedication To The Cultural Arts Council.
(Requested by Mayor David Dermer)
(Deferred from February 4, 2004)
- PA2 Police Athletic League Appreciation Awards And 45th Anniversary Recognition.
(Requested By Mayor David Dermer)
- PA3 Certificate Of Appreciation To Be Presented By SFC Steve Foren To Jorge M. Gonzalez And Special Personal Recognition To The Mayor And Commission, Mercy Lamazares, Vashanna McIntosh-Moorer And Jorge Gomez For Their Support Of CMB Service Members While Deployed.
(Planning Department)
- PA4 Certificates Of Appreciation To Be Presented To Employee Of The Month "At Your Service Award" Winners For January And February 2004.
(City Manager's Office)
- PA5 Certificate Of Appreciation To Be Presented To Lebbie Lee For Retiring After 18 Years Of Service At The Miami Beach Police Department.
(Requested by Commissioner Luis R. Garcia)
- PA6 Certificate Of Appreciation To Be Presented To Members Of City's Staff Who Serve As "BIGS" For Big Brothers Big Sisters Of Greater Miami.
(Requested by Commissioner Richard L. Steinberg)
- PA7 Certificates Of Completion To Be Presented To The Participants Of The City's Neighborhood Leadership Academy.
(City Manager's Office)

AGENDA ITEM PA1-7
DATE 2-25-04

THIS PAGE INTENTIONALLY LEFT BLANK

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

Request for approval to issue purchase orders pursuant to Florida State Contract no. 03-11-0825, to Duval Ford in the amount of \$427,605.00 for the purchase of twenty-two (22) 2004 Ford Taurus vehicles, two (2) 2004 Ford Explorer vehicles, three (3) 2004 Ford F-150 4x2 Pick Up Trucks, one (1) 2004 Ford E-250 Cargo Van and one (1) Ford E-150 Cargo Van; to Garber Chevrolet in the amount of \$62,805.75, for the purchase of five (5) 2004 Cavaliers; to Garber Ford in the amount of \$13,635.15, for the purchase of one (1) 2004 Ford Ranger 4x2 Pick Up Truck; and to Atlantic Truck Center, in the amount of \$98,196.00, for the purchase of one (1) 2004 Ford F-750 Asphalt Truck.

Issue:

Whether to approve the issuance of purchase orders.

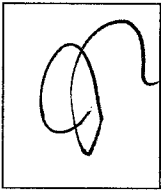
Item Summary/Recommendation:

All vehicles are recommended to be purchased pursuant to Florida State Contract No. 03-11-0825. The twenty-two (22) Ford Taurus vehicles, two (2) Ford Explorers, one (1) Ford F-150 4x2 Pick Up Truck, One (1) Ford E-150 Cargo Van and five (5) Cavaliers are **budgeted replacements** and will be funded by the Fleet Management Replacement Fund. One (1) Ford E-250 Cargo Van and One (1) Ford Ranger are **budgeted replacements** and will be funded by the Property Management Capital Fund. One (1) Ford F-150 4x2 is a **budgeted addition** and will be funded by the Public Works Streets Division General Fund Capital Account. One (1) Ford F-150 4x2 Pick Up is a **budgeted addition** and will be funded by the Property Management South Beach General Fund. The Ford F-750 Asphalt truck is a **budgeted addition** and will be funded by the Public Works Water Division Enterprise Fund Capital Account. The Administration recommends approving the issuance of purchase orders pursuant to Florida State Contract No. 03-11-0825.

Advisory Board Recommendation:

n/a


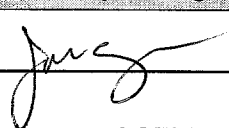
Financial Information:

Source of Funds:		Amount	Account	Approved
 Finance Dept.	1	\$ 444,783.75	510.1780.000673 Fleet Mgt. Replacement Fund	
	2	29,812.15	520.1720.000673 Property Management Cap. Account	
	3	13,641.00	011.9964.000673 Prop. Mgt. So. Beach Cap. Account	
	4	98,196.00	425.0410.000673 PW Water	
		15,809.00	011.0840.000673 PW Streets	
	Total	\$ 602,241.90		

City Clerk's Office Legislative Tracking:

Andrew Terpak

Sign-Offs:

Department Director	Assistant City Manager	City Manager
Andrew Terpak Fred Beckmann		

T:\AGENDA\

AGENDA ITEM C2A

DATE 2-25-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **REQUEST FOR APPROVAL TO ISSUE PURCHASE ORDERS PURSUANT TO FLORIDA STATE CONTRACT NO. 03-11-0825, TO DUVAL FORD, IN THE AMOUNT OF \$427,605.00, FOR THE PURCHASE OF TWENTY-TWO (22) 2004 FORD TAURUS VEHICLES, TWO (2) 2004 FORD EXPLORER 4X4 VEHICLES, THREE (3) 2004 FORD F-150 4X2 PICK UP TRUCKS, ONE (1) 2004 FORD E-250 CARGO VAN AND ONE (1) FORD E-150 CARGO VAN; TO GARBER CHEVROLET, IN THE AMOUNT OF \$62,805.75, FOR THE PURCHASE OF FIVE (5) 2004 CHEVROLET CAVALIERS; TO GARBER FORD, IN THE AMOUNT OF \$13,635.15, FOR THE PURCHASE OF ONE (1) 2004 FORD RANGER 4X2 PICK UP TRUCK; AND TO ATLANTIC TRUCK CENTER, IN THE AMOUNT OF \$98,196.00, FOR THE PURCHASE OF ONE (1) 2004 FORD F-750 ASPHALT TRUCK.**

ADMINISTRATION RECOMMENDATION

Approve the issuance of purchase orders.

BID AMOUNT AND FUNDING

\$444,783.75	Fleet Management Replacement Fund	510.1780.000673
\$ 29,812.15	Property Management Capital Fund	520.1720.000673
\$ 13,641.00	Property Management South Beach Capital Account	011.9964.000673
\$ 98,196.00	Public Works Water Division Enterprise Fund Capital Account	425.0410.000673
\$ 15,809.00	Public Works Streets Division General Fund Capital Account	011.0840.000673

ANALYSIS

All vehicles are recommended to be purchased pursuant to Florida State Contract No. 03-11-0825.

The twenty-two (22) 2004 Ford Taurus vehicles are budgeted replacements and will be funded by the Fleet Management Replacement Fund. These vehicles will be used by the Planning, Police, Public Works, Building and Fire Departments.

The two (2) 2004 Ford Explorer 4x4 vehicles are budgeted replacements and will be funded by the Fleet Management Replacement Fund. The Explorers will be used by the City of Miami Beach Police Department as marked units.

One (1) 2004 Ford F-150 4x2 Pick Up truck is a budgeted addition and will be funded by the Property Management South Beach General Fund. This vehicle will be used by a team responsible for the service and maintenance of ornamental fountains citywide. It will be used to carry tools and supplies.

One (1) 2004 Ford F-150 4x2 Pick Up truck is a budgeted addition and will be funded by the Public Works Streets Division Enterprise Fund. This vehicle will be used by an Asphalt Supervisor in the Streets Division at various job sites throughout the City. This vehicle will be equipped with a heavy duty tow package.

One (1) 2004 Ford F-150 4x2 Pick Up truck is a budgeted replacement and will be funded by the Fleet Management Replacement Fund. This vehicle will be used by the Streets Division Operations Supervisor.

The 2004 Ford E-250 Cargo Van and the 2004 Ford Ranger are budgeted replacements and will be funded by the Property Management Capital Fund. The Ford E-250 Cargo Van will be used by the Property Management Electrical Division. This vehicle will be equipped with a special electrical supplies storage package. The Ford Ranger will be used by the Property Management carpentry division.

The 2004 Ford E-150 Cargo Van is a budgeted replacement and will be funded by the Fleet Management Replacement Fund. This vehicle will be used by the Fire Prevention Division of the Fire Department in various programs throughout the City designed to educate the public in fire prevention awareness. It will carry an assortment of literature and supplies.

The five (5) 2004 Chevrolet Cavaliers are budgeted replacements and will be funded by the Fleet Management Replacement Fund. These vehicles will be used by the Planning and Public Works Departments.

The 2004 Ford F-750 Asphalt Truck is a budgeted addition and will be funded by the Public Works Water Division Enterprise Fund. This vehicle will enhance the operations and productivity of the repair and maintenance of streets citywide. This vehicle will be mounted with a Pro-Patch pot hole patcher, vibratory roller, hydraulic lift platform, hydraulic hammer, hydraulic operated steel top doors, and hydraulic air compressor.

The vehicles listed on the following page have met or exceeded the established criteria for replacement. The criteria are based on age, mileage, maintenance, engine hours (one engine hour idling = 35 miles), and overall condition of the vehicle. The life to date maintenance includes all costs associated with the vehicle, including, but not limited to, repairs, routine maintenance, accidents and other damage.

Replacement Vehicles

Veh#	Dept.	Year	Make/Model	Mileage	Life to Date Maintenance	Condition
0836-4	0520	1994	Chev. Cavalier	21,931	\$ 4,773.02	Poor
0845	0520	1997	Chev. Lumina	16,411	\$ 1,917.40	Poor
0857	0810	1996	Chev. Cavalier	20,465	\$ 2,133.67	Poor
0858	0810	1996	Chev. Cavalier	9,836	\$ 3,093.11	Poor
0860	0810	1997	Chev. Lumina	80,728	\$ 3,580.11	Poor
0859	0820	1996	Chev. Cavalier	17,474	\$ 3,303.81	Poor
0671	0840	1996	Chev. Cavalier	29,216	\$ 4,265.50	Poor
0713	0840	1997	Chev. S-10	46,579	\$ 9,412.74	Poor
2148	1110	1997	Chev. Lumina	82,753	\$ 5,007.66	Poor
2131	1120	1997	Chev. Lumina	66,116	\$ 6,772.00	Poor
2132	1120	1997	Chev. Lumina	56,844	\$ 4,504.63	Poor
2138	1120	1997	Chev. Lumina	88,269	\$ 4,836.92	Poor
2151	1120	1997	Chev. Lumina	74,627	\$ 5,065.45	Poor
2300	1120	1997	Jeep Cherokee	39,430	\$ 6,762.99	Poor
2301	1120	1997	Jeep Cherokee	42,490	\$ 9,078.53	Poor
2135	1130	1997	Chev. Lumina	121,000	\$ 7,857.58	Poor
2139	1130	1997	Chev. Lumina	84,666	\$ 3,440.35	Poor
2141	1130	1997	Chev. Lumina	66,887	\$ 2,910.89	Poor
2144	1130	1997	Chev. Lumina	83,345	\$ 3,810.10	Poor
2147	1140	1997	Chev. Lumina	96,076	\$ 6,158.24	Poor
2158	1140	1997	Chev. Lumina	71,486	\$ 3,878.98	Poor
2167	1140	1998	Chev. Lumina	95,012	\$ 3,611.83	Poor
0056	1220	1997	Chev. Lumina	99,994	\$4,335.15	Poor
0058	1220	1997	Chev. Lumina	89,640	\$ 4,753.82	Poor
0013-5	1230	1995	GMC 2500	54,109	\$11,537.92	Poor
0027	1230	1997	Chev. Lumina	92,827	\$3,702.31	Poor
0033	1230	1997	Chev. Lumina	67,405	\$ 4,567.73	Poor
0057	1230	1997	Chev. Lumina	69,451	\$ 5,100.76	Poor
0062	1230	1997	Chev. Lumina	63,427	\$ 2,643.88	Poor
0872	1230	1996	Chev. Cavalier	47,504	\$ 3,958.98	Poor
0873	1510	1997	Chev. Lumina	60,050	\$ 3,189.78	Poor
0412-4	1720	1994	Ford Ranger	76,293	\$ 8,939.49	Poor
0431-5	1720	1995	GMC 2500	28,374	\$10,821.52	Poor

The Administration recommends that the City Commission authorize the issuance of purchase orders against Florida State Contract No. 03-11-0825.


JMG/RCM/FB/GL/AET/aet

THIS PAGE INTENTIONALLY LEFT BLANK

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

Request for approval to issue a purchase order to Duval Ford, in the amount of \$292,905, for the purchase of fifteen (15) 2004 Ford Crown Victoria Police pursuit vehicles pursuant to Florida State Contract No. 03-11-0825.

Issue:

Whether to approve the issuance of a purchase order.

Item Summary/Recommendation:

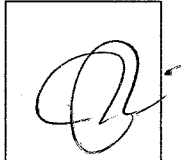
The Chairman and Members of the Miami Beach Redevelopment Agency passed and adopted Resolution No. 459-2003 on September 18, 2003 appropriating operating and capital budgets with provisions for law enforcement vehicles for the South Pointe and City Center areas. The fifteen (15) 2004 Crown Victoria pursuit vehicles are budgeted additions to implement and enhance Community policing initiatives for both the City Center/Historic Convention Village and South Pointe Redevelopment areas. Nine (9) of the 15 Crown Victoria pursuit vehicles will accommodate one Police Sergeant and eight Police Officers in the City Center Redevelopment Area. Six (6) of the 15 Crown Victoria pursuit vehicles will accommodate one Police Sergeant and five sworn police Officers in the South Pointe Redevelopment area. All vehicles will be equipped with public safety packages.

The Administration recommends that the City Commission authorize the issuance of a purchase order.

Advisory Board Recommendation:

N/A

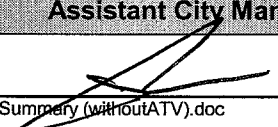
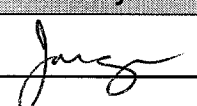
Financial Information:

Source of Funds:		Amount	Account	Approved
 Finance Dept.	1	117,162.00	167.1122.000673 South Pointe RDA Fund	
	2	175,743.00	168.1124.000673 City Center/Historic Convention Village RDA Fund	
	3			
	4			
	Total	292,905.00		

City Clerk's Office Legislative Tracking:

Andrew Terpak

Sign-Offs:

Department Director	Assistant City Manager	City Manager
Donald DeLucca, Police Andrew Terpak, Fleet Mgt.		

T:\AGENDA\2004\Feb2504\Consent\RDA Vehicles Summary (withoutATV).doc

AGENDA ITEM C2B

DATE 2-25-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **REQUEST FOR APPROVAL TO ISSUE A PURCHASE ORDER TO DUVAL FORD, IN THE AMOUNT OF \$292,905, FOR THE PURCHASE OF FIFTEEN (15) 2004 FORD CROWN VICTORIA POLICE PURSUIT VEHICLES PURSUANT TO FLORIDA STATE CONTRACT NO. 03-11-0825.**

ADMINISTRATION

Approve the issuance of a purchase order.

BID AMOUNT AND FUNDING

\$117,162	South Point Redevelopment Agency Fund	167.1122.000673
\$175,743	City Center/Historic Convention Village Redevelopment Agency Fund	168.1124.000673

ANALYSIS

On September 18, 2003, the Chairman and Members of the Miami Beach Redevelopment Agency passed and adopted Resolution No. 459-2003 appropriating operating and capital budgets for the South Pointe and City Center Redevelopment Areas for FY 2003/04 for law enforcement vehicles for these areas.

The vehicles will be used by the City of Miami Beach Police Department's Community Policing Problem Solving "Teams" in the City Center and South Pointe Redevelopment areas. The new police officers and the purchase of these vehicles will provide the City's Police Department with the capability to increase police presence and visibility in the City Center and South Pointe areas. Members of these Teams will be trained and become "specialist" in problem solving issues that are prominent in both the City Center and South Pointe areas. These Teams will partner with residents and local businesses to address the special needs unique to each area and provide a necessary public safety service to "identify, respond to, and resolve the public safety and quality of life issues in an efficient and effective manner."

The fifteen (15) 2004 Ford Crown Victoria Police pursuit vehicles are recommended to be purchased pursuant to Florida State Contract No. 03-11-0825.

All vehicles are budgeted additions to the City of Miami Beach Police Department Fleet to implement and enhance the Community Policing initiatives for both the City Center/Historic Convention Village and South Pointe Redevelopment Areas.

Nine (9) 2004 Ford Crown Victoria pursuit vehicles are budgeted additions for the City Center Redevelopment Area, are funded by the Police City Center/Historic Convention Village Redevelopment Fund, and will accommodate one Police Sergeant and eight Police Officers. All of these vehicles will be equipped with public safety equipment packages.

Six (6) 2004 Ford Crown Victoria pursuit vehicles are budgeted additions for the South Pointe Redevelopment Area, are funded by the Police South Pointe Redevelopment Agency Fund, and will accommodate one sworn Police Sergeant and five sworn Police Officers. All vehicles will be equipped with public safety equipment packages.

The Administration recommends that the City Commission authorize the issuance of a purchase order against Florida State Contract No. 03-11-0825, for the purchase of fifteen (15) 2004 Ford Crown Victoria Police pursuit vehicles, from Duval Ford, in the amount of \$292,905.

JMG/CMC/RCM//DD/GL/AET/mo

T:\AGENDA\2004\Feb2504\Consent\RDA Vehicles Memo (without ATV).doc

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

Request for approval to award a contract to TM Systems, LLC., as the sole source provider for Spanish language translation and subtitling services at an estimated annual cost of \$75,000.

Issue:

Shall the City Commission award a contract to TM Systems, LLC. for Spanish language translation and subtitling services?

Item Summary/Recommendation:

The Administration recommends approving the award.

Advisory Board Recommendation:

On February 9, 2004, the Hispanic Affairs Committee was asked to review and comment on both the real-time SAP translation and subtitling translation. As a result of the Hispanic Affairs Committee survey, the Administration will review the real-time English to Spanish interpreter service.


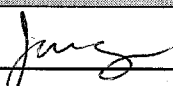
Financial Information:

Source of Funds: <div style="border: 1px solid black; width: 80px; height: 40px; margin: 5px 0;"></div> Finance Dept.		Amount	Account	Approved
	1	\$75,000	City Clerk's Office Budget	
	2			
	3			
	4			
	Total	\$75,000		

City Clerk's Office Legislative Tracking:

Robert E. Parcher, City Clerk

Sign-Offs:

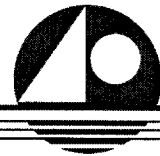
Department Director	Assistant City Manager	City Manager
		

T:\AGENDA\2004\Feb2504\Consent\Spanish Lanaguage translation sum.doc

AGENDA ITEM C2C
DATE 2-25-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **REQUEST FOR APPROVAL TO AWARD A CONTRACT TO TM SYSTEMS, LLC., AS THE SOLE SOURCE PROVIDER FOR SPANISH LANGUAGE TRANSLATION AND SUBTITLING SERVICES AT AN ESTIMATED COST OF \$75,000 FOR THE REMAINDER OF FY 2003/04.**

ADMINISTRATION RECOMMENDATION

Approve the award.

AMOUNT AND FUNDING

\$75,000 Funding is available in the City Clerk's Office Budget.

ANALYSIS

In September 2002, the City of Miami Beach awarded a contract to Language Speak, Inc., pursuant to Bid No. 42-01/02 for simultaneous Spanish language interpreters. The interpreters translate in real-time and is available to the TV viewing public via the Second Audio Playback (SAP) feature which is available on most TV sets. Public feedback regarding the quality of the translation has varied. It is extremely difficult for one translator to translate in real-time, the Mayor and six Commissioners, the City Manager and City Attorney, the City Clerk, and other speakers. In addition, the English words used in transacting government business can be difficult to translate if given an adequate amount of time. Having to translate the words almost instantaneously is, at best, extremely difficult.

As a way to improve communications between the City and its Spanish speaking residents, the Administration, beginning with the Commission meeting in October 2003, tested TM Systems services which utilizes its Emmy Award-winning technology to translate the City Commission meeting from English to Spanish and provide the City with a digital version of the meeting with Spanish subtitles. The technology is the only one of its kind that provides the ability to translate and to subtitle large volumes of dialogue and text in minimal turnaround time with accuracy and efficiency. TM Systems digitizes the City's Commission meeting videos, translates all voices, subtitles the translations, and returns a complete subtitled video within 48 hours.

On February 9, 2004, the Hispanic Affairs Committee was asked to review and comment on both the real-time SAP translation and subtitling translation, see survey attached. Two evaluation tapes of an actual Commission meeting were produced. One tape contained the translation using the real-time SAP and the other tape contained the subtitled translation.

Before viewing the evaluation SAP tape, seventy-five percent (75%) of the Hispanic Affairs Committee indicated they have used the SAP feature to view live Miami Beach Commission meetings. When asked if the SAP translation provides an accurate translation of the Commission meeting, fifty percent (50%) indicated "some of the time." After viewing the evaluation tape with the SAP Spanish language real-time translation, fifty percent (50%) rated the comprehension as poor and the other fifty percent (50%) rated comprehension below average. Regarding accuracy of the real-time translation, fifty percent (50%) rated it poor, and fifty percent (50%) rated it below average. The comments of the Hispanic Affairs Committee on the SAP translation were: "The translation was slow, difficult to follow and inaccurate. It is a valuable thing to have; however, it must be accurate, animated and easy to follow. The interpreter missed many opportunities to translate and left dead air at moments at a time (including the item that the Clerk was reading that the Commission then voted on). It was incomprehensible. She also lacked energy and gave the impression that she didn't care. She should be fired. Perhaps another interpreter could do better."

Before viewing the subtitled evaluation tape, one hundred percent (100%) of the Hispanic Affairs Committee members responded that the Spanish language subtitling was very valuable. After viewing the subtitled evaluation tape one hundred percent (100%) rated the comprehension of the subtitling as very good and one hundred percent (100%) rated the accuracy of the translation as very good. The Committee's comments on the subtitling were: "The replay translation is difficult to read, perhaps another font or color is recommended for ease on the eye. They like the idea of reading the translation over the voice because it can help those that are learning Spanish too since they get both at one time."

The cost to digitize, translate, subtitle, and provide the City with a subtitled tape is \$11 a minute. An average nine hour City Commission meeting will cost \$6,940. In any year there are between 14 and 16 scheduled Commission meetings. The annual expenditure using the average of a 9-hour Commission meeting will be between \$84,000 and \$112,000, not including special Commission meetings. There are nine (9) scheduled Commission meetings remaining in FY 2003/04, in addition to any special Commission meeting which may be scheduled.

The project will be funded out of the City Clerk's budget and will require a budget amendment before the end of the fiscal year to balance the budget.

As a result of the Hispanic Affairs Committee survey, the Administration will review the real-time English to Spanish interpreter service.

CONCLUSION

Pursuant to Section 2-367(c) of the City Code, the Administration recommends approval to award a contract to TM Systems, LLC, in an amount not-to-exceed \$75,000 for FY 2003/04.

JMG:REP

T:\AGENDA\2004\Feb2504\Consent\Spanish Lanaguage translation tms.doc

Parcher, Robert

From: Rodriguez, Nannette
Sent: Tuesday, February 10, 2004 2:21 PM
To: Parcher, Robert; Gonzalez, Jorge
Cc: Francis, Ron; Inganzo, Ramiro
Subject: HAC Feedback on TV Translations

The Hispanic Affairs Committee met last night and evaluated both the live SAP and post-production subtitled translations of a Commission mtg. They appreciated being asked to participate in the survey and evaluation process.

The results were as follows:

SAP

Do any of your television sets at home offer Secondary Audio Language (SAP) feature?

Yes: 100%

No: 0%

Have you or anyone you know used the SAP feature to view any television program?

Yes: 100%

No: 0%

Do you watch the City Commission meetings on television live?

75%: Yes

25%: No

Have you or anyone you know used the SAP feature to view a live Miami Beach City Commission meeting?

75%: Yes

25%: No

If yes, does the SAP provide accurate translation of the Commission meeting?

All of the time: 0%

Some of the time: 50%

Not at all: 25%

Don't know: 25%

How valuable do you feel the Secondary Audio Language (SAP) is to the Miami Beach Hispanic community?

Very valuable: 100%

Somewhat valuable: 0%

Not valuable: 0 %

Don't know: 0 %

After viewing the tape using SAP Spanish translation:

Using the scale below, please rate the comprehension of the SAP translation.

Poor: 50%

Below average: 50%

Good: 0%
Very good: 0%
Excellent: 0%

Using the scale below, please rate the accuracy of the SAP translation.

Poor: 50%
Below average: 50%
Good: 0%
Very good: 0%
Excellent: 0%

Comments on the SAP:

The translation was slow, difficult to follow and inaccurate. It is a valuable thing to have; however, it must be accurate, animated and easy to follow. The interpreter missed many opportunities to translate and left dead air at moments at a time (including the item that the Clerk was reading that the Commission then voted on). It was incomprehensible. She also lacked energy and gave the impression that she didn't care. She should be fired. Perhaps another interpreter could do better.

Text Translation

Do you watch or have you watched the re-transmission (replays) of the City Commission meetings on television?

Yes: 100%
No: 0%

If yes, how valuable do you feel is the Spanish-language subtitling on the screen?

Very valuable: 100%
Somewhat valuable: 0
Not valuable: 0
Don't know: 0

If yes, does the text provide an accurate translation of the Commission meeting?

All of the time: 75%
Some of the time: 0
Not at all: 25%
Don't know: 0

After viewing the tape using Spanish translation subtitling:

Using the scale below, please rate the comprehension of the text translation.

Poor: 0%
Below average: 0%
Good: 0%
Very good: 100%
Excellent: 0%

Using the scale below, please rate the accuracy of the text translation.

Poor: 0%
Below average: 0%
Good: 0%
Very good: 100%
Excellent: 0%

Comments:

The replay translation is difficult to read, perhaps another font or color is recommended for ease on the eye. They like the idea of reading the translation over the voiced because it can help those that are learning Spanish too since they get both at one time.

My suggestions:

Have the SAP interpreter provide a phone number (305-604-CITY) for listeners to call in to provide feedback before and after the meeting and before, during and after breaks. This will provide accountability to the service and feedback to us.

Place a SAP bug on the screen so viewers know that the mtg is provided in SAP. I don't think we have done this.

Rework the survey and place online on the TV20 page and under What's New. The survey can also be promoted on the TV screen during mtgs.

Hope this helps!

Nannette

City of Miami Beach
Office of Communications
1700 Convention Center Drive
Miami Beach FL 33139
www.miamibeachfl.gov
Answer Center: 305-604-CITY

"We are committed to providing excellent public service and safety to all who live, work and play in our vibrant, tropical, historic community."

Miami Beach



419A Espanola Way
Miami Beach, FL. 33139
T (305) 535-6373 F (305) 535-6353

12711 Ventura Blvd, Suite 270
Studio City, CA. 91604
T (818) 508-3400 F (818) 508-3401
www.tm-systems.com

Ken Lorber
CEO

February 18, 2004

Robert Parcher
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL. 33139

Dear Bob,

Thank you for the opportunity to provide Spanish subtitling services, for re-broadcast of City Commission meetings, a service that can only be provided by TM SYSTEMS, utilizing its copy-written, EMMY, award winning technology. This technology is the only one of its kind that provides the ability to translate and to subtitle large volumes of dialogue and text in minimal turnaround time.

TM SYSTEMS is available to pick up videotapes of meetings directly from City Hall, digitize those videos to CD and translate all voices, subtitle the translations, and return the completed subtitled video within 48 hours. Only the technology offered by TM SYSTEMS could allow for such quick turnaround, with accuracy and efficiency that never before has been available.

Additionally, since all work is digitized it can be saved on your in house server and maintained as an asset indefinitely for the City, its residents and businesses.

TM SYSTEMS has successfully completed "tests" of the above for every City Commission meeting since October of 2003, allowing the City to regularly advertise and market the second language re-broadcasts on a regularly scheduled basis.

The City of Miami Beach is the first city in the country to offer exact translation of its Commission meetings to its constituents, utilizing the TM SYSTEMS technology.

Again, on behalf of the TM SYSTEMS team, we thank you for the opportunity to provide Spanish subtitle services to the City.

Most sincerely,

Ken Lorber



CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

**Subject: REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE
– DISCUSSION REGARDING A PROPOSED MULTI-PURPOSE SPACE
EXPANSION TO THE MIAMI BEACH CONVENTION CENTER**

ANALYSIS

On November 5, 2001, the Greater Miami Convention & Visitors Bureau received a report entitled "Analysis of the Potential Expansion of Convention Facilities in Greater Miami and the Beaches" from Convention, Sports & Leisure International. This report outlined the need for expansion of the Miami Beach Convention Center to include a 50,000 sq. ft. multipurpose general assembly banquet hall to increase the marketability of the Miami Beach Convention Center.

Since that date, the City has proceeded in formulating the scope of such a Convention Center Complex Area project as evidenced by the following actions:

- On October 23, 2001, the Convention Center Advisory Board and Convention Center Capital Projects Oversight Committee held a joint meeting and recommended approval of both the Convention Center Expansion Project as proposed by CSL and the amendment to the City Center Redevelopment Plan, which also includes the Convention Center Expansion project.
- On June 19, 2002 the Miami Beach Redevelopment Agency/City Commission adopted Resolution No. 424-2002 and 2002-24899, respectively amending the City Center Redevelopment Plan to include the Convention Center expansion project.
- On October 25, 2002, a presentation was given to the Finance and Citywide Projects Committee by SMG, managing agent for the Center, outlining a basic program consideration for the expansion of the Center into the Preferred Parking Lot to the west of the MBCC to incorporate a multi-purpose space and parking for the Center. At that meeting, the Committee recommended that the Administration proceed with the planning and design for the P-Lot Garage/Multi Purpose Facility.
- On January 23, 2003 the Board of County Commissioners adopted Resolution R-14-03 amending the City Center Redevelopment Plan, to include the Convention Center expansion project.

Agenda Item CYA
Date 2-25-04

- Recently executed Management Agreement between the City of Miami Beach and SMG includes provision for SMG to assist with discussions relative to design and operational consulting in connection with the proposed Convention Center Expansion Project.
- On October 31, 2003, at a Special City Commission meeting, the Miami Beach City Commission was apprised of the aforementioned actions and advised that the City, thru SMG, was negotiating to develop a "Preliminary Site Analysis" for the Convention Center Expansion Project.

As we have progressed in the development of this project, the Administration explored the potential sites available. In addition to the P-Lot, the metered parking lot to the south of the MBCC directly across Convention Center Drive from City Hall, commonly referred to as the TOPA lot, was identified as a possible alternative. In order to determine the feasibility of this site further, on November 14, 2003, the City and SMG proceeded to engage Thompson, Ventulett, Stainback & Associates, Inc. (TVS), the principal Convention Center architect of the 1989 MBCC expansion, to conduct a site analysis and study the feasibility and potential benefits of locating a 50,000 to 60,000 multi-purpose space on the alternate site.

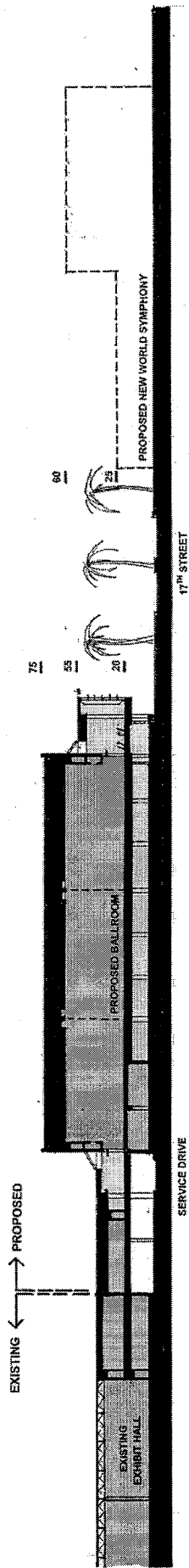
TVS has completed the review (see attached) and the consultants concluded that it is feasible and in fact there are many benefits, such as:

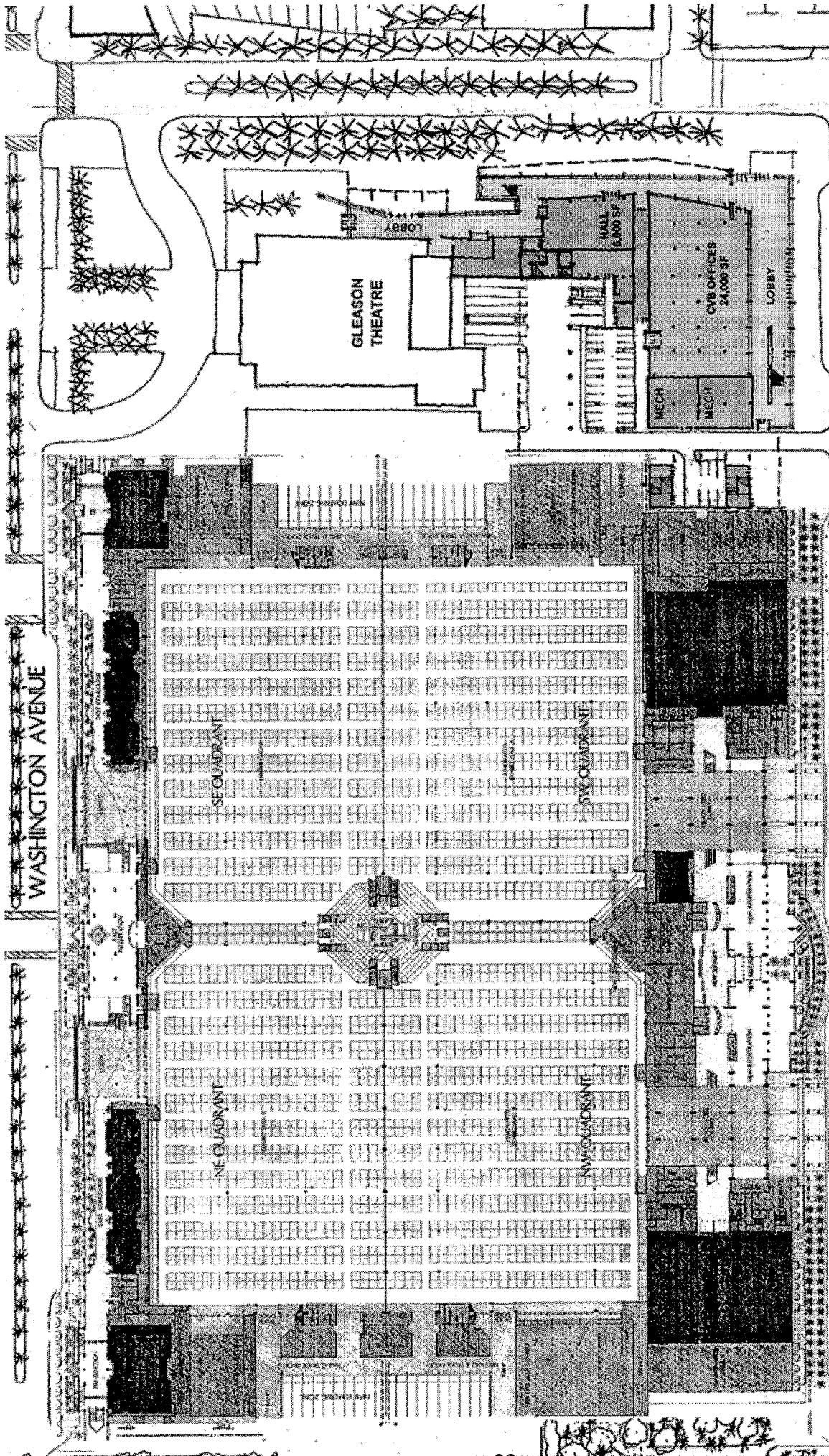
1. Efficiencies gained with back of house operation between the Convention Center and the proposed Ballroom;
2. Direct access by adjoining the Gleason Theater and the proposed Ballroom;
3. Potential addition and incorporation of office space for Convention and Visitors Bureau or Visitor Center needs;
4. Enhanced linkage between Convention Center and Lincoln Road; and
5. Frontage on 17th Street facing the proposed New World Symphony Soundspace project, creating a focal cultural destination in the City Center.

While there are still many issues still to be addressed in this project, most significantly the cost and source of funding, the consideration of the site is an appropriate next step in the process. Therefore the administration recommends that the Mayor and City Commission refer for discussion regarding a proposed multi-purpose space expansion to the Miami Beach Convention Center to the Finance and Citywide Projects Committee.


JMG/CMC/DWT

T:\AGENDA\2004\Feb2504\Consent\TVS Study Referral to Finance.MEM.doc



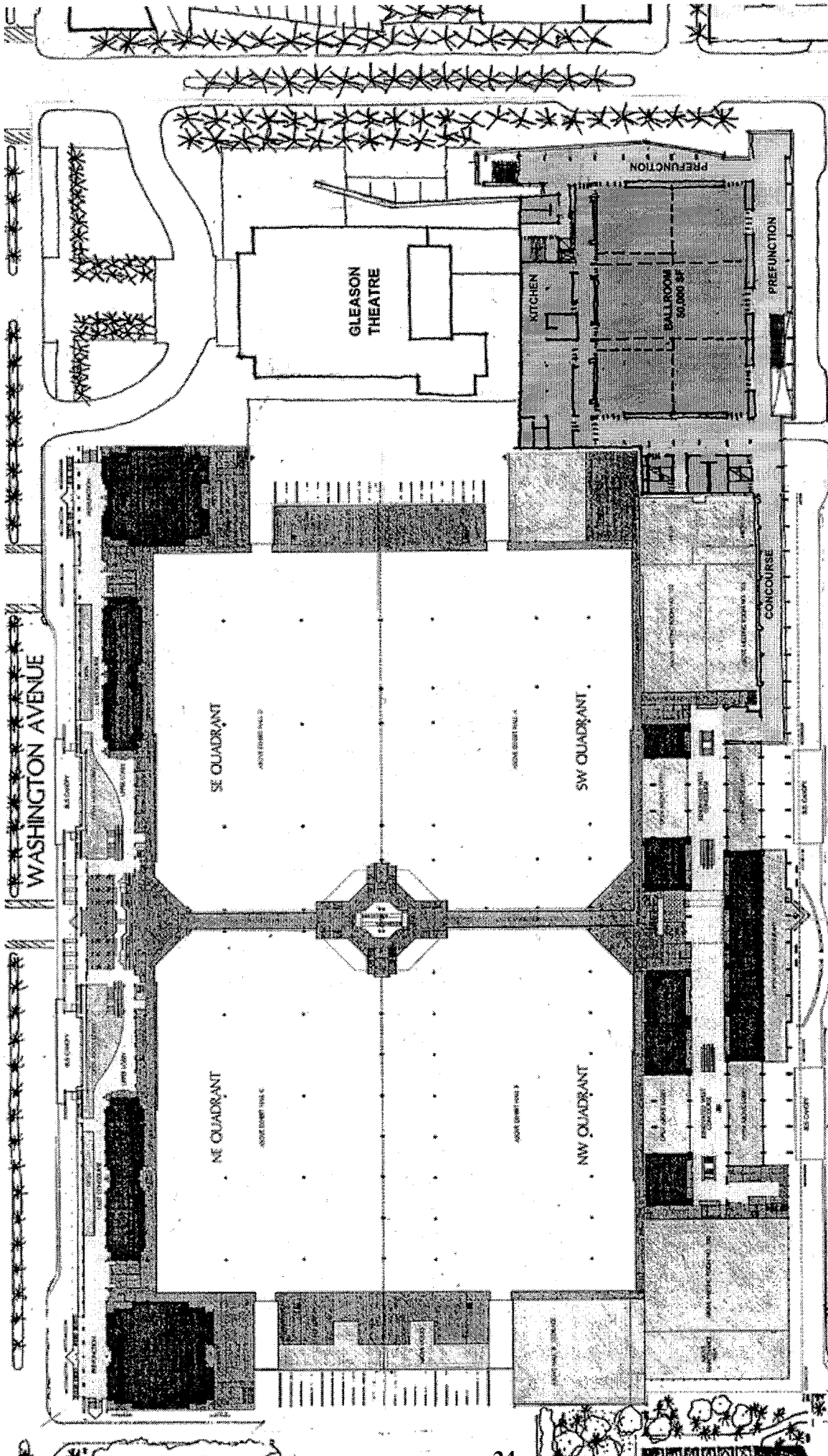


lvs

MIAMI BEACH BALLROOM STUDY
GROUND FLOOR

1" = 100'-0"
JANUARY 15, 2004

CONVENTION CENTER DRIVE



MIAMI BEACH BALLROOM STUDY
SECOND FLOOR
 1" = 100'-0"
 JANUARY 15, 2004

tvs

Miami Beach Convention Center Ballroom Study
15 January 2004

Program Summary

Ground Floor

- Multi-Purpose Hall 6,000 SF
- CVB Offices 24,000 SF
- Back of House (stairs, toilets, mech., etc) 21,900 SF
- Lobby / Concourse 30,600 SF
- Staff Parking 31 Stalls
- House Dock 4 Bays
- Gleason Theatre Dock 7 Bays

Ground Floor Subtotal 82,500 SF

Second Floor

- Ballroom 50,000 SF
 - Ballroom Subdivisions
 - A - 6,800 SF
 - B - 8,100 SF
 - C - 16,650 SF
 - D - 6,800 SF
 - E - 8,100 SF
- Kitchen 15,400 SF
- Back of House 14,250 SF
- Concourse (New) 32,600 SF

Second Floor Subtotal 119,800 SF

Total project Enclosed Area 202,300 SF

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: REFERRAL TO THE NEIGHBORHOOD / COMMUNITY AFFAIRS
COMMITTEE THE FOLLOWING ORDINANCES:

1. AN ORDINANCE AMENDING CHAPTER 102 OF THE CITY CODE, ENTITLED "TAXATION"; AMENDING DIVISION IV THEREIN, ENTITLED "TAX"; AMENDING ARTICLE V THEREIN, ENTITLED "OCCUPATIONAL LICENSE TAX"; AMENDING SECTION 102-379 THEREIN, ENTITLED "SCHEDULE OF TAXES"; SAID AMENDMENT PROVIDING FOR A FIVE PERCENT DISCOUNT TOWARD A SUBSEQUENT YEAR'S OCCUPATIONAL LICENSE IF THE LICENSEE RECEIVES NO CODE VIOLATIONS DURING THE PREVIOUS YEAR.
2. AN ORDINANCE AMENDING SECTION 98-166 OF THE CITY CODE, ENTITLED "DUTY TO MAINTAIN SIDEWALKS AND SWALE AREAS" BY PROVIDING A MINIMUM STANDARD OF SIDEWALK MAINTENANCE BY EVERY MERCHANT, STORE KEEPER OR OPERATOR OF A BUSINESS; SAID STANDARD BEING TO SWEEP THE SIDEWALK AT THE OPENING AND CLOSE OF THE BUSINESS DAY.

ADMINISTRATION RECOMMENDATION

The Administration recommends referring the items.

ANALYSIS

There has been on on-going discussion with representatives of the Nightlife Industry and the community regarding cleanliness of the commercial corridors. Various mechanisms to improve the cleanliness through the involvement of the business community have been considered. Specific limitations on the distribution of flyers have been part of that discussion.

As the discussion has evolved, there is support in the Nightlife community to impose a greater level of responsibility on business owners in the community to maintain the sidewalk in front of their place of business. While the present Code requirement is that all businesses maintain the sidewalk in front of their place of business in a clean and orderly manner, there is support from the Nightlife community to require a minimum standard of

Agenda Item C4B
Date 2-25-04

sweeping the affected sidewalk area at the open and close of any particular businesses operations.

The revised standard does not actually affect the current responsibility of the business owner to maintain the sidewalk, but more particularly clarifies those times when cleaning is expected by the business owner. It has also been understood that the clearer standard for maintenance of sidewalks by business owners is to be combined with a more pro-active enforcement by the Code Compliance Division to assure that each of the business owners fulfills the responsibility as currently provided within the City Code.

The combination of the clarified standard and more pro-active enforcement is expected to have some level of impact on the commercial corridors in terms of their cleanliness. These efforts may be sufficient to accomplish the desired improvements, however, if more improvement is needed, other measures can and may need to be introduced at a later point in time.

The attached section of City Code, Section 98-166 is the current language pertaining to sidewalk maintenance, and the suggested ordinance amendment is indicated as the underlined portion in the middle section.

In the discussion of increasing the responsibility and enforcement of business owners to assist with cleanliness, consideration was also given to an incentive by the City that would reward businesses who routinely fulfill their responsibilities and did not incur Code violations.

A companion item with the sidewalk maintenance ordinance amendment is an ordinance suggested by the City Administration that would provide for a five percent (5%) discount toward a business owner's occupational license if in one calendar year no Code violations are received by that business. The five percent (5%) would be credited against the next year's occupational license. Based on historical trends this credit may reduce occupational license revenue to the City by approximately \$75,000. Code violations are not simply sidewalk maintenance but any Code violation which may be incurred by the respective business owner.

The Ordinance providing for the amendment of Chapter 102 and the percent (5%) discount is also attached for Commission review.

While the two ordinances are offered as a package, either could be adopted by the Commission independent of the other is so desired.

The amendment to the sidewalk maintenance ordinance as well as the occupational license credit, should form a balanced response to improving cleanliness in the commercial corridors and help to improve the City's overall appearance. The Administration recommends referring the items.

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102 OF THE CITY CODE, ENTITLED "TAXATION"; AMENDING DIVISION IV THEREIN, ENTITLED "TAX"; AMENDING ARTICLE V THEREIN, ENTITLED "OCCUPATIONAL LICENSE TAX"; AMENDING SECTION 102-379 THEREIN, ENTITLED "SCHEDULE OF TAXES"; SAID AMENDMENT PROVIDING FOR A FIVE PERCENT DISCOUNT TOWARD A SUBSEQUENT YEAR'S OCCUPATIONAL LICENSE IF THE LICENSEE RECEIVES NO CODE VIOLATIONS DURING THE PREVIOUS YEAR; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City's Occupational License Ordinance was amended on July 30, 2003, increasing fees by five percent, effective October 1, 2003 (Fiscal Year 2003-04); and

WHEREAS, the City wants to offer an incentive to all businesses with a valid occupational license who have no Code compliance violations, by providing licensees, in the subsequent license year, a five percent (5%) annual discount of the base license fee; and

WHEREAS, the discount will be applied toward the subsequent year's occupational license, if the licensee has not received a code violation during the previous license year (which begins October 1, and ends on September 30).

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.

SECTION 1. That Chapter 102 of the City Code; Division IV therein; Article V therein; Section 102-379 therein is amended as follows.

Sec. 102-379 Schedule of Taxes

License taxes for the following businesses, occupations, or professions are hereby levied and imposed as set forth below.

* * * *

Effective October 1, 2004, a five percent (5%) discount of the base license fee will be applied by the City to all businesses with a valid occupational license which have not received a city code violation in the prior license year (defined as the period beginning on October 1, and ending on September 30,). The discount will be credited to licensees on the subsequent year's license renewal.

SECTION 2. **REPEALER**

All ordinance or parts of ordinance amendment in conflict herewith be and the same are hereby repealed.

SECTION 3. **SEVERABILITY**

If any section, subsection, clause or provision of this Ordinance amendment is held invalid, the remainder shall not be affected by such invalidity.

SECTION 4. **CODIFICATION**

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby Ordained the provisions of this Ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this Ordinance may be renumbered or relettered To accomplish such intentions and the word "ordinance" may be changed to "section", "article", Or other appropriate word.

SECTION 5. **EFFECTIVE DATE**

This Ordinance shall take effect immediately upon approval of said ordinance for occupational licenses issued for fiscal year 2004-2005.

PASSED AND ADOPTED This _____ day of _____, 2004.

MAYOR

ATTEST:

CITY CLERK

1ST Reading 02/25/04
2ND READING 03/17/04

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION


City Attorney 2-19-04
Date

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

**Subject: REPORT OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE
MEETING OF JANUARY 28, 2004.**

A meeting of the Finance and Citywide Projects Committee was held January 28, 2004 at 2:28 p.m. in the City Manager's Large Conference Room.

Finance and Citywide Projects Committee Members in attendance included: Chairperson Vice Mayor Jose Smith, Vice Chairperson Commissioner Richard Steinberg, and Commissioner Matti Herrera-Bower.

Also in attendance were Commissioner Luis R. Garcia, Jr. and Commissioner Saul Gross.

City staff was represented by: Patricia D. Walker, Chief Financial Officer; Christina M. Cuervo, Assistant City Manager; Fred Beckmann, Public Works Director; Brad Judd, Property Management Division Director; Manuel Marquez, Finance Manager; Odessa Pinder, Executive Office Associate I; Joe Damien, Asset Manager; Robert Reboso, Redevelopment Agency; Max Sklar, Cultural Affairs and Tourism Development Assistant Director; Lorna Mejia, Office Associate V; Dolores Mejia, Office Associate V; Erica Shafir, Office Associate V; Margaret Alcon, Office Associate V

Others in attendance included:

Doug Tober, Convention Center and Jackie Gleason Theater of Performing Arts (TOPA) General Manager; Marty Evans, CBA Group; Dan Ricker, Watchdog Report.

NEW BUSINESS:

1. Chairperson and Vice Chairperson Selection

Action

The Committee unanimously selected Vice Mayor Jose Smith as Chairperson and Commissioner Richard Steinberg as Vice Chairperson.

2. Discussion regarding the proposed amendments to the Beachfront Concession Agreement by and between the City and Boucher Brothers, Miami Beach, LLC.

Agenda Item C6A
Date 2-25-04

ACTION

Item Deferred

OLD BUSINESS:

3. Discussion regarding Community Benefit Revisions for the Jackie Gleason TOPA

ACTION

No action necessary. Status update was given.

Assistant City Manager Christina M. Cuervo and Miami Beach Convention Center and Jackie Gleason TOPA General Manager Doug Tober introduced and summarized the item.

Mr. Tober stated that the Committee, at its June 17, 2003 meeting, had instructed the Administration to return to the Finance and Citywide Projects Committee in six months to review whether the fund balance had shown any signs of recovery. Mr. Tober also stated that the Committee had recommended to keep the maximum allocation of subsidized tickets to 60 per show and to make seniors and students sign an affidavit confirming their need for the subsidy.

Mr. Tober reported that the fund, as result of reducing the maximum allocation of subsidized tickets, had maintained a healthy balance. Mr. Tober stated that he will review the Community Benefit Fund and report to the Miami Beach Convention Center Advisory Board (CCAB) on a quarterly basis.

Mr. Tober also stated that the CCAB had requested that seniors and students not have to sign an affidavit confirming their need for the subsidy, as many would find this embarrassing. Mr. Tober further stated that such a policy would be administratively cumbersome to implement and verify.

Mr. Tober stated that should the fund balance reduce to \$75,000 or below the Administration would seek alternative strategies that could include not only limiting the number of tickets available per performance and/or revising the reimbursement percentage, but also revising the amount of the surcharge charged to customers on their tickets.

4. Discussion of the results of negotiations with Market Company, Inc. regarding:

- a. Fees for Vendor/Merchant Spaces**
- b. Off-Duty Police**
- c. Fee/Concession Revenue**

ACTION

The Committee referred the item to the full Commission for action.

Assistant City Manager Christina M. Cuervo introduced and summarized the item. Ms. Cuervo stated that the Administration had resolved the outstanding issues with the Market Co., Inc. and will be ready to bring the proposed agreement to the February 25, 2004 Commission Meeting.

Ms. Cuervo distributed the Espanola Way Street Market Term Sheet for review and discussion (a copy of the Term Sheet is attached).

Ms. Cuervo summarized the four issues included in the Term Sheet:

- Security during Move-In and Move-Out
- Security Deposit
- Minimum Guarantee
- Percentage Rents

Commissioner Saul Gross stated that, before the item is brought to the Commission for approval, the Administration needs to clarify the language in Section Four of the Term Sheet entitled "Percentage of Gross." Commissioner Gross stated that it appears ambiguous whether the Market Co. will have to pay 17.5% or 20% of the incremental revenues or total revenues should the 2004 revenues exceed 110% and 120% of the 2003 revenues respectively.

Commissioner Matti Herrera-Bower made a motion to refer the item to the full Commission for action. Commissioner Richard Steinberg seconded the motion. Voice vote was taken. Motion passes unanimously.

5. Discussion regarding Old City Hall Structural Repairs.

ACTION

The Committee instructed the Administration to fund the approximately \$45,000 necessary to complete construction documents.

The Committee instructed the Administration to find funding for Old City Hall.

Public Works Director Fred Beckmann introduced and summarized the item. Mr. Beckmann stated that the Administration is estimating the repair and restoration cost of the project to be approximately \$1,650,000.

Chief Financial Officer Patricia D. Walker stated that as a result of a number of high priority capital projects during the past year, such as Fire Station No. 2 and the Washington Avenue Streetscape Improvement Project, the City has exhausted all available capital funds from the Capital Reserve as well as a number of other sources.

Ms. Walker stated that the Administration, in an effort to fund the necessary critical improvements at historic Old City Hall, has proposed for discussion a loan from the Parking Enterprise fund balance. Ms. Walker stated that the loan could be paid back from other funds as they become available such as: capital funds, grants, resort tax or "quality of life

funds". Ms. Walker further stated that the interest rate could be set annually to match the City's interest rate of return to compensate the Parking Enterprise Fund's foregone investment income.

Commissioner Matti Bower stated that a set of criteria should be developed for the use of funds from the Parking Enterprise Fund before funds are loaned for capital projects.

Vice Chairperson Commissioner Richard Steinberg stated that he is not in favor of using parking funds for non parking capital projects. Vice Chairperson Steinberg further stated that the City will have to build parking facilities in the near future to accommodate the Citywide parking shortages which exist.

Ms. Walker stated that the City has approximately \$12 million in parking bond funds and \$8 million in parking impact fees potentially available for parking capital projects which cannot be used for non-parking related projects.

Property Management Division Director Brad Judd summarized the structural repairs needed at Old City Hall.

Mr. Beckmann stated that the Committee had previously approved approximately \$20,000 for the preparation of construction drawings and cost estimates to identify the repairs needed at Old City Hall. Mr. Beckmann stated that \$45,000 is needed for complete construction documents.

The Committee instructed the Administration to fund the approximately \$45,000 necessary for complete construction documents.

The Committee instructed the Administration to find funding for Old City Hall.

Additionally the Committee suggested that before parking Enterprise funds should be loaned, criteria for their applicability should be defined and the cost of needed parking projects should be funded from all available parking funds.

Further, the Committee asked that the report on "Unfunded Projects" be placed on the Commission Agenda again.

JMG/PDW/mim 

T:\AGENDA\2004\FEBRUARY 4, 2004\CONSENT\Fin & CW 01-28-04



Espanola Way Street Market

TERM SHEET

The following is a list of previously outstanding issues that have been resolved as a result of the January 3, 2004, on-site meeting between the Market Company, Commissioner Bower and members of the Administration.

1) Security during Move-In and Move-Out:

- a. Concessionaire agrees that a Field Monitor is required and shall be hired by Concessionaire, for a minimum of four (4) hours daily during move-in times on Saturday and Sundays, to service all three markets as follows:

Saturday (4 hours)

Espanola Way (2 hours)
Normandy Market (2 hours)

Sunday (4 hours)

Espanola Way Market (2 hours)
Lincoln Road Market (2 hours)

- b. Concessionaire further agrees that a Off-duty Police Officer is required and shall be hired by Concessionaire, for a minimum of four (4) hours daily during move-out times on Friday, Saturday and Sunday, for the Espanola Way Market only.

2) Security Deposit:

Concessionaire has agreed to pay a security deposit, an amount equal to one months rent, based on the average of monies paid to the City during calendar year 2003.

3) Minimum Guarantee:

Concessionaire has agreed to pay a minimum guarantee, an amount equal to 75%, based on the amount of monies paid to the City during calendar year 2003.

4) Percentage of Gross:

In exchange for the City not regulating the fees Concessionaire shall charge vendors/merchants for booth space, Concessionaire agrees to remit, on monthly basis, fifteen (15%) percent of Concessionaire's gross receipts. In the event that Concessionaire's calendar year 2004 revenues exceed the previous year (2003) revenues, Concessionaire agrees to increase its payments to the City in accordance to the following scale:

- a. if revenues equal or surpass 110%, Concessionaire shall remit 17.5% of those revenues to City, and
- b. if revenues equal or surpass 120%, Concessionaire shall remit 20% of those revenues to City

THIS PAGE INTENTIONALLY LEFT BLANK

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

**Subject: REPORT OF THE JOINT FINANCE AND CITYWIDE PROJECTS COMMITTEE
AND NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE MEETING OF
JANUARY 28, 2004.**

A joint meeting of the Finance and Citywide Projects Committee and the Neighborhood/Community Affairs Committee was held January 28, 2004 at 5:55 p.m. at the South Pointe Elementary School Cafeteria.

The City of Miami Beach Commission was represented by Commissioner Matti Herrera-Bower, Commissioner Luis Garcia and Commissioner Richard Steinberg.

Attendance: See sign-in sheet attached.

- 1. A Presentation and discussion of the Basis of Design Report for Phase II of the South Point Neighborhood Right of Way Improvement Project.**

ACTION

The Committee referred the item to the full Commission for action.

Capital Improvement Projects Office Director Tim Hemstreet introduced and summarized the item.

Mr. Hemstreet explained that for most of the City's Neighborhood ROW Improvement Projects, the respective neighborhood BODR is sent to the General Obligation (G.O.) Bond Oversight Committee for review and approval prior to being submitted to the City Commission for adoption. Mr. Hemstreet further explained that in the case of the South Pointe Neighborhood, funding is being provided by the South Pointe Redevelopment Agency rather than G.O. Bond funds, so it would not be appropriate to bring the item to the G.O. Bond Oversight Committee for approval.

Mr. Hemstreet explained that in order to provide an appropriate level of review and a public forum for participation, the Administration has referred the item to a joint meeting of the Finance and Citywide Projects Committee and the Neighborhood/Community Affairs Committee for discussion.

Mr. Hemstreet introduced team members from the City's Program Management staff, Hazen and Sawyer, and the City's Consultant staff for the South Pointe Neighborhood

Agenda Item CG B
Date 2-25-04

Phase II Right-of-Way (ROW) Infrastructure Improvements Program, Wolfberg Alvarez & Partners.

Mr. Hemstreet gave an overview of the major points proposed in the Draft South Pointe Phase II Basis of Design Report (BODR) for the South Pointe Neighborhood ROW Infrastructure Improvements Program.

Mr. Hemstreet explained that the Administration is anticipating completion of the Phase II South Pointe Neighborhood ROW Infrastructure Improvements Project without having to reclaim any of the encroachments currently existing on the City's ROW.

Mr. Hemstreet further stated that he is seeking input regarding the various parking alternatives available for Jefferson Avenue.

Mr. Mario Gutierrez and Mr. Aris Garcia, from the firm of Wolfberg Alvarez & Partners, gave a power-point presentation outlining the proposed project public ROW infrastructure improvements. Mr. Gutierrez stated that the proposed budget for the project is \$6,266,776.

After the power-point presentation Mr. Hemstreet stated that the Draft South Pointe Phase II BODR is available in its entirety on the internet, at the City's website.

After the presentations, the Joint Committees opened the public forum for discussion. Among the issues discussed were:

- Project schedule (planning, design, bid/award, and construction)
- Lighting improvements (street and alley improvements; no up-lighting proposed in Phase II)
- Installation of pooper scoopers for residents with pets (not part of project)
- Installation of benches (no benches planned in Phase II)
- Streetscape improvements (dimensions of right-of-way)
- Traffic calming (issues related to dangerous intersections as a result of landscaping and/or up-lighting)
- Parking alternatives (overall consensus of Jefferson Ave. residents was to maximize parking with alternative D2 incorporating angled and parallel spaces)
- Landscaping issues
- Encroachment issues (Phase II is not anticipating the need to reclaim any of the encroachments currently existing on the City's ROW)
- Safety issues (feasibility of fire trucks and buses driving through neighborhood)

After input from staff, consultants, and citizens in attendance, the Joint Committee's referred the item to the full Commission for action.

The meeting adjourned at 7:44 p.m.

JMG/PDW/min

\\AGENDA\2004\FEBRUARY 4, 2004\CONSENT\Fin & CW 01-28-04

SOUTH POINTE NEIGHBORHOOD/PHASE II STREETSCAPE PROJECT REVIEW

ing of the Finance and Citywide Projects Committee & The Neighborhoods Committee
Wednesday, Jan. 28, 2004 - 6:00 PM
South Pointe Elementary School Media Room

SIGN IN SHEET

BEATRICE MORCELL	324 COLLINS AVE	305-532-7077	info@hotelatlantic.com
Randall Robinson	340 Collins Ave	305-531-1053	thuisirvr@aol.com
Roberto Bruns	301 Jefferson Ave	305-538-6211	URBINA3333@aol.com
Ward M. Wilson	301 Jefferson Ave	305-538-1090	---
Gil ZRINY	327 Jefferson Ave	305-622-8817	62RINY@earthlink.net
Ricardo Hernandez	220 Meridian Ave	305-793-7927	Ricardomh@earthlink.net
Leon Fegnar	220 Meridian	305-217-7732	AGUIARTRAVE@NORMAL.U
NICOLE TZOUGRAKIS	400 Alton RD. #8TH-1A	305-604-1820	Nicole@off-the-runway.com
DIANE DOWNS	240 Collins Ave 6-D	305-675-9775	MUNE@the-beach.net
Phillip Cousins	240 COLLINS AVE 6-D	305-978-8607	pc@the-beach.net
David Sine	935 4th St	305-672-7774	---
Marc Fest	935 4th St	---	---
Wm Beach.	1000 S. Pointe TH-3.	305-535-7422	WR Beach 40 Beach
Rick Quackenbush	300 South Pointe #2805	305-531-7448	---
Elizabeth Fisher	1000 S. Pointe #904	305-531-5001	ETishk@casadeFish

com

SOUTH POINTE NEIGHBORHOOD/PHASE II STREETSCAPE PROJECT REVIEW

Joint Meeting of the Finance and Citywide Projects Committee & The Neighborhoods Committee
 Wednesday, Jan. 28, 2004 - 6:00 PM
 South Pointe Elementary School Media Room

SIGN IN SHEET

Josh Fisher	1000 S. Pointe Dr. #904 33139	305 531-5001	jfish@CasaDeFisher.com
Ruth Remington	1000 S. Pointe Dr. #1702 33139	305.695-2744	RemingtonMizumi@aol.com
Wm Beach			W.P. Beach 404 West 10th St
Christian Folland	227 Michigan Ave, #201 33139	305-801-5989	cf262@yahoo.com
Daryl Spindler	712 Washington Ave	205-872-0219	Daryl Spindler 1331 Q South Beach Living Inc
Jennifer Gerz-Escandon	715 Washington Ave	305-742-3138	jgerzescandon@yahoo.com
Susan Feller	131 Michigan Ave	305 673 4430	Suzanne Feller 404 yaho
Christine Luce	301 Ocean Dr	538 6701	CLuce@aol.com
Esther Dischinger	735 2nd St.	531 6563	ESTHER@THE-GEORGE.NET
Lucia Posada	711 2nd St	305 673-1738	Luciadelaposa.com
Mike Robinson	418 Euclid Ave	305-527-8645	mikerob@mindspring.com
John Mikhail	208 Jefferson Ave	650-776-6703	mikhail-john@hotmail.com
David Kolson	135 Ocean Dr. #508	673-0110	
Joseph Villari	240 Collins Ave	305-674-1190	beachdaddy@aol.com
Alonso Posada	711 2nd St	305 673-1738	alonso@harpsec.com

FRANK DE VECCHIO 301 Ocean Drive #604 305-672-2486 frankdev@att.net

SAUL FRANCES 305 673 3331 x6483 SAUL FRANCES@MINDGEAR.COM

William Cary 305-673-7000 x6519 WCARY@MIAMI-TEACH-FL.GOV.

REGAN CALDWELL 305-673-7000 x6467 REGAN@MIAMI-TEACH-FL.GOV.

SOUTH POINTE NEIGHBORHOOD/PHASE II STREETSCAPE PROJECT REVIEW

Joint Meeting of the Finance and Citywide Projects Committee & The Neighborhoods Committee

Wednesday, Jan. 28, 2004 - 6:00 PM

South Pointe Elementary School Media Room

SIGN IN SHEET

NAME	ADDRESS	PHONE	EMAIL ADDRESS
Robert Wilson	790 NW 107th Ave Mid 33172	305 339 1250	RobertWilson@architects.org
Richard Jorge	300 Euclid Ave #210 33139		jorge@the-beach.net
Dominique Brulac	208 SE 1st Ave, 33139	305 538 9317	dbrulac@The-Beach.net
Patricia Walker	CMB - Finance	305-673-7000	
Manny Marquez	" - "		
Odessa Pinder	" - "		
Tim Hemstreet	" - CIP		
Bob Middaugh	" - CITY MNGR OFF.		
Ronnie Singer	" - CIP		
Maria Rolandelli	" - CIP		
Donald Shockey	" - "		
Matt: Herrera Bower	" - Commission		
Luis Garcia	" - "		
Richard Steinberg	" - "		
Jorge M. Gonzalez	" - City Manager		
Anna Parekh	" - RDA-SP		



THIS PAGE INTENTIONALLY LEFT BLANK

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

**Subject: REPORT OF THE GENERAL OBLIGATION BOND OVERSIGHT
COMMITTEE MEETING OF FEBRUARY 2, 2004**

The General Obligation Bond Oversight Committee ("Committee") met on February 2, 2004. At the meeting, the Committee considered the following issues.

The Committee reviewed the minutes from the January 5, 2004 meeting. The minutes were passed.

CHANGE ORDERS

The Administration informed the Committee of the new change orders had been approved. A list of those change orders is attached as "Exhibit A".

DISCUSSION ITEMS

The Administration presented the Committee with a comprehensive report describing the changes in the project sequencing timelines for the GO Bond funded projects managed by the CIP Office since the report was last seen by the Committee (August 2002). The Committee reviewed the report and thanked the Administration for the opportunity to review how things had changed.

PROJECT STATUS REPORT

The Administration informed the Committee that construction was proceeding on schedule for Phase I of the **Fire Station No. 2** project (water tanks portion). It was estimated that Jasco, the contractor, would be issued a Notice to Proceed for Phase II, the Fire Station portion of the project, by the end of February 2004, with construction anticipated to start in April or May, after the completion of Phase I.

The Committee was told that the schedule for the **Fire Station No. 4** project has slipped. The construction documents were reviewed by the City Building Department. The consultant is making revisions based on the comments received, and will resubmit the documents for permitting. Once a permit is issued, the project will be put out to bid for construction. The Administration hopes to have the project out for bids in March of 2004, with construction to start in May or June.

The Administration informed the Committee that the compliance issues for the **Normandy Isle Park and Pool** project have been addressed, and the design issues were also

Agenda Item CGC

Date 2-25-04

resolved. The contractor estimates construction could not be completed before August of 2004. The City is reviewing that schedule and the options available under the contract.

The Committee was advised that Phase I of the **Scott Rakow Youth Center** project (ice rink) was open for business, and had received a Temporary Certificate of Occupancy (TCO). A final Certificate of Occupancy (CO) for the project is anticipated within approximately 30 to 45 days. Outstanding issues are due to regulatory requirements and errors made by the original contractor. The Administration is working with the Art in Public Places (AiPP) Committee to see if some artwork can be placed on the building in lieu of the proposed "fins" that were to be installed. This would be subject to the approval of the Design Review Board (DRB). If the DRB does not approve the change, the project cannot be issued a CO without the installation of the fins. The Administration plans on meeting with the Community to discuss options for Phase II construction. The Administration will keep the Committee updated as necessary.

The Administration informed the Committee that the **North Shore Park and Youth Center** project should be completed soon. The contractor is estimating completion by the end of February, where as the staff is estimating completion by the middle to end of March. There is work in all three phases (tennis center, ball fields and youth center) that still needs to be completed, some of which was originally rejected.

INFORMATIONAL ITEMS

The updated calendar of community meetings was presented to the Committee, but not reviewed during the meeting.

ADDITIONAL ITEM

The Administration asked the Committee to consider adding an item to the agenda regarding awarding additional services in the amount of \$30,500 to Tetra Tech WHS, formerly known as Williams, Hatfield and Stoner, the A/E for the **Normandy Isle/Normandy Sud Right-of-Way (ROW) Infrastructure Improvement Project**. The Additional Services would be 1) to redesign the lighting system for the neighborhood, pursuant to a new standard created for the residential neighborhoods, 2) to perform a planning study related to hardscape and landscape revisions arising from the Community rejecting a proposed guard house; and 3) for the administration, specifications and reimbursable expenses related to the additional scope. The Committee agreed to add the item to the agenda.

The Committee held a discussion regarding the new lighting standard for residential areas. The standard would call for a reduction in the brightness of the light used in each light fixture, but would allow for additional light fixtures in the neighborhood. The Administration informed the Committee that this standard was already incorporated into the other neighborhoods, with the exception of the Orchard Park part of the Nautilus Neighborhood, but due to the timing of when the Basis of Design Report (BODR) was approved for the Normandy Isle/Normandy Sud neighborhood, it had not been incorporated yet.

The Administration informed the Committee that there would be savings from implementing the revised standard, and that those funds would pay for the additional services, as well as additional lighting fixtures and other improvements the community expressed desire to have implemented. The Administration informed the Committee that the community was in agreement with the revisions, based on the input received at the Community Design Review Meeting (CDRM) held on October 21, 2003.

The Committee's discussion focused on the lighting standard. Concern was expressed that the existing lighting condition was not sufficient, the belief that the proposed lighting under the old standard would still be insufficient, which would be further affected negatively by a reduction in the standard. The Committee voted to table the item until the next Committee meeting and have the Administration return to the community to be sure the community understood the new lighting standard.

Further discussion was held. The Administration clarified what the new standard entailed. The old standard of 1 foot candle would provide the amount of light similar to that in front of the City of Miami Beach Police Station, which is very bright for a residential area. The revised standard of .6 foot candle is more appropriate for a residential area. The Committee voted to reconsider its previous vote. The Committee then voted to recommend that the City Commission approve additional services in the amount of \$30,500 for Tetra Tech WHS.

Attachment

JMG/RCM/TH/KLM

T:\AGENDA\2004\Feb2504\Consent\GO Bond Minutes from 2-2-04.doc

General Obligation Bond Oversight Committee
Change Order Report - February 2004

EXHIBIT A

Project	C.O. #	Date of Approval	Original Contract Amount	Change Order Amount	Revised Contract Amount	Remaining Contingency	% of Project Complete (approx.)	Contract Amount Remaining to be Paid	# of Days	Purpose
Espanola Way	1	1/24/02	\$761,526.70	(\$1,085.00)	\$760,441.70	\$141,558.30	20%			Value Engineering of curb and gutter to valley gutter
Espanola Way	2	1/24/02	\$760,441.70	\$5,300.00	\$765,741.70	\$141,558.30	20%			Paid from funding outside contingency - additional sidewalk, curb and gutter
Espanola Way	3	1/24/02	\$765,741.70	\$81,650.00	\$847,391.70	\$59,908.30	20%			Add revised sanitary sewer improvements (2 manholes, relief line, Ductile Iron Pipe Sleeves) (originally anticipated)
Espanola Way	4	1/24/02	\$847,391.70	(\$27,845.00)	\$819,546.70	\$87,753.30	20%			Value Engineering of base under sidewalk
Espanola Way	5	1/24/02	\$819,546.70	\$8,568.00	\$828,114.70	\$79,185.30	20%			Revised drainage structures to comply with DERM regulations
Espanola Way	6	6/14/02	\$828,114.70	\$900.00	\$829,014.70	\$78,285.30	42%		0	Adjust Storm Drain due to conflict with FPL Duct Bank
Espanola Way	7	6/14/02	\$829,014.70	\$14,988.00	\$844,002.70	\$63,297.30	42%		0	Concrete work to reduce slopes of plaza to approx. 2%
Espanola Way	8	6/14/02	\$844,002.70	\$13,000.00	\$857,002.70	\$50,297.30	42%		+49	Storm drain modifications to adjust plaza slopes to approx. 2%
Espanola Way	9	10/21/02	\$857,002.70	\$799.00	\$857,801.70	\$50,297.30	65%		0	Loading Zone at Barcelona Hotel, requested and funded by Property Owner
Espanola Way	10	10/21/02	\$857,801.70	(\$1,708.90)	\$856,092.80	\$52,006.20	65%		0	Delete 8 Planters (Owner request)
Espanola Way	11	10/21/02	\$856,092.80	\$5,190.00	\$861,282.80	\$52,006.20	65%		21	Underground Phone and TV cables, requested and funded by property owner
Espanola Way	12	10/21/02	\$861,282.80	(\$100.00)	\$861,182.80	\$52,006.20	70%		0	Credit for error on Change Order # 9
Espanola Way	13	10/21/02	\$861,182.80	\$1,180.00	\$862,362.80	\$50,826.20	70%		0	Water line to Proposed fountain
Espanola Way	14	11/12/02	\$862,362.80	\$720.00	\$863,082.80	\$50,106.20	85%		0	Ramp at Tantra for Dumpster
Espanola Way	15	11/12/02	\$863,082.80	\$512.00	\$863,594.80	\$49,594.20	85%		0	Change Planter Layout (Owner Request)
Espanola Way	16	11/12/02	\$863,594.80	\$2,000.00	\$865,594.80	\$47,594.20	85%		5	Change inlet to Storm drains
Espanola Way	17	12/6/02	\$865,594.80	\$500.00	\$866,094.80	\$47,094.20	90%		0	Additional rain water leaders
Espanola Way	18	12/6/02	\$866,094.80	(\$1,584.50)	\$864,510.30	\$48,678.70	90%	\$ -	0	Plant material change by Landscape Architect
Fisher Park	1	8/10/99	\$140,451.04	\$6,874.12	\$147,325.16	\$7,201.39	27%	\$ -		New scope of work for new layout of tot lot & install new fencing
Flamingo Pool	1	9/25/01	\$2,399,800.00	\$53,500.00	\$2,453,300.00	\$239,980.00				Re-route electrical feed
Flamingo Pool	2	10/24/01	\$2,453,300.00	\$20,170.48	\$2,473,470.48	\$219,809.52	40%			relocate FPL underground line to accommodate new pool
Flamingo Pool	3	10/24/01	\$2,473,470.48	\$62,800.00	\$2,536,270.48	\$157,009.52	40%			Add Alternate # 2 - Sunburst Fence (originally anticipated)
Flamingo Pool	4	10/24/01	\$2,536,270.48	(\$8,680.00)	\$2,527,590.48	\$165,689.52	40%			Delete 3 lifeguard chairs and substitute pool coating
Flamingo Pool	5	2/19/02	\$2,527,590.48	(\$11,246.40)	\$2,516,344.08	\$176,935.92	80%		-10	Credit for using existing portion of sanitary sewer lines
Flamingo Pool	6	2/19/02	\$2,516,344.08	\$37,503.65	\$2,553,847.73	\$139,432.27	80%		+15	Revised storm system layout to include new drainage well. Installation of support haunches at large pool for structural stability.
Flamingo Pool	7	4/2/02	\$2,553,847.73	\$54,000.00	\$2,607,847.73	\$85,432.27			+10	Installation of Spray Deck, included as Add Alternate, requested by Parks (originally anticipated)

**General Obligation Bond Oversight Committee
Change Order Report - February 2004**

Project	CO #	Date of Approval	Original Contract Amount	Change Order Amount	Revised Contract Amount	Remaining Contingency	% of Project Complete (approx.)	Contract Amount Remaining to be Paid	# of Days	Purpose
Flamingo Pool	8	4/8/02	\$2,607,847.73	\$4,264.48	\$2,612,112.21	\$85,432.27			0	Installation of interior signage, taken from signage allowance (originally anticipated)
Flamingo Pool	9	4/30/02	\$2,612,112.21	\$17,874.42	\$2,629,986.63	\$67,557.85		\$ -	+24	furnish/install anchors for swim lines, install 5 umbrella anchors, install electrical conduit/wires and panels for night lighting system
Group A & B Parks										
Island View Park - Ph II	1	1/9/02	\$123,453.48	(\$29,330.00)	\$94,123.48	\$62,348.00	20%			Removal of Shade Pavilion from Scope of Services (at City's request)
All Parks	2	1/28/02	\$94,123.48	\$30,060.00	\$124,183.48	\$28,268.18	30%			Removal of concrete slab at Island View tot lot, upgrade to galvanized steel fencing with electrostatic paint
All Parks	3	3/1/02	\$124,183.48	\$8,703.66	\$132,887.14	\$19,564.52	75%			Addition of columns to fencing, relocation of column, addition of 43 linear feet of fencing to accommodate existing tree route systems
All Parks	4	3/1/02	\$132,887.14	\$0.00	\$132,887.14	\$19,564.52	75%		+45	Time extension due to delay of construction start to accommodate ongoing programming at parks
Crespi Park	5	5/15/02	\$132,887.14	\$6,136.00	\$139,023.14	\$13,428.52	90%	\$ -	0	Installation of specially fabricated sections of fencing to avoid conflict with tree root systems
Island View Park	1	8/4/99	\$192,053.48	\$1,775.79	\$193,829.27					Replace underground pipe for electric service to 2 existing lights
Island View Park	2	12/29/99	\$193,829.27	\$4,044.04	\$197,873.31	\$8,703.16	36%	\$ -	0	Removal of Basketball Court & restoration of area
Marseilles Drive	1	5/19/03	\$1,356,913.00	\$18,613.00	\$1,375,526.00	\$117,078.00	35%		8	Change elevation to drainage structures and pipes.
Marseilles Drive	2	5/19/03	\$1,375,526.00	(\$756.00)	\$1,374,770.00	\$117,834.00	35%		0	Credit for use of a less expensive water pipe material.
Marseilles Drive	3	5/19/03	\$1,374,770.00	\$3,957.00	\$1,378,727.00	\$113,877.00	35%		2	Use of a different material and type for all curb and gutter inlet frames and grates.
Marseilles Drive	4	7/24/03	\$1,378,727.00	\$18,240.00	\$1,396,967.00	\$95,637.00	40%		5	Additional 2" layer of asphalt requested by the Public Works Dept.
Marseilles Drive	5	7/24/03	\$1,396,967.00	(\$4,000.00)	\$1,392,967.00	\$99,637.00	40%		0	Credit for reduced drainage well depth.
Marseilles Drive	6	7/24/03	\$1,392,967.00	\$5,056.00	\$1,398,023.00	\$94,581.00	40%		2	Resolution of a conflict with a water main pipe at Rue Versailles.
Marseilles Drive	7	7/24/03	\$1,398,023.00	\$0.00	\$1,398,023.00	\$94,581.00	40%		4	Additional days for document discrepancies.
Marseilles Drive	8	7/24/03	\$1,398,023.00	\$0.00	\$1,398,023.00	\$94,581.00	40%		1	Additional rain delay.
Marseilles Drive	9	7/24/03	\$1,398,023.00	\$0.00	\$1,398,023.00	\$94,581.00	40%		16	Delay due to FDOT lane closure permit.
Marseilles Drive	10	8/12/03	\$1,398,023.00	\$17,200.00	\$1,415,223.00	\$77,381.00	55%		6	Re-routing of water main pipe at Normandy and Rue Notre Dame to avoid conflict with existing gas main and storm sewer pipe.
Marseilles Drive	11	8/12/03	\$1,415,223.00	\$3,802.00	\$1,419,025.00	\$73,579.00	55%		2	Replacement of existing sanitary sewer pipe at Bay Drive and Marseilles.
Marseilles Drive	12	8/12/03	\$1,419,025.00	\$6,080.00	\$1,425,105.00	\$67,499.00	55%		0	Additional 2" layer of asphalt requested by the Public Works Dept. at Rue Versailles.
Marseilles Drive	13	8/12/03	\$1,425,105.00	\$6,080.00	\$1,431,185.00	\$61,419.00	55%		0	Additional 2" layer of asphalt requested by the Public Works Dept. at Rue Notre Dame.

Bolded items reflect Change Orders that have occurred since the last General Obligation Bond Oversight Committee meeting.

**General Obligation Bond Oversight Committee
Change Order Report - February 2004**

<u>Project</u>	<u>CO #</u>	<u>Date of Approval</u>	<u>Original Contract Amount</u>	<u>Change Order Amount</u>	<u>Revised Contract Amount</u>	<u>Remaining Contingency</u>	<u>% of Project Complete (approx.)</u>	<u>Contract Amount Remaining to be Paid</u>	<u># of Days</u>	<u>Purpose</u>
Marseilles Drive	14	8/12/03	\$1,431,185.00	\$2,622.00	\$1,433,807.00	\$58,797.00	55%		6	Removal of 95 Ft. of existing curb and gutter and replacement with new valley gutter. Removal of existing grate and replacement at different location due to a change in design at an intersection.
Marseilles Drive	15	8/12/03	\$1,433,807.00	\$1,437.00	\$1,435,244.00	\$57,360.00	55%		1	Added traffic control loop at Rue Versailles and Normandy Drive.
Marseilles Drive	16	8/12/03	\$1,435,244.00	\$5,060.00	\$1,440,304.00	\$52,300.00	55%		5	Existing tree removal at Rue Notre dame due to line of sight.
Marseilles Drive	17	8/12/03	\$1,440,304.00	\$4,613.00	\$1,444,917.00	\$47,687.00	55%		2	Additional storm drainage structure.
Marseilles Drive	18	12/19/03	\$1,444,917.00	\$1,320.00	\$1,446,237.00	\$46,367.00	85%		7	Electrical Service for Irrigation Controller.
Marseilles Drive	19	12/19/03	\$1,446,237.00	\$0.00	\$1,446,237.00	\$46,367.00	85%		0	This Change Order was voided because the CMB declined to install additional street light at Cul-De-Sac.
Marseilles Drive	20	12/19/03	\$1,446,237.00	(\$179.00)	\$1,446,058.00	\$46,546.00	85%		0	Credit for replacing 1#5 Re-Bar wit a # 3 Re-Bar.
Marseilles Drive	21	12/19/03	\$1,446,058.00	\$11,539.75	\$1,457,597.75	\$35,006.25	85%		10	Re-Construct Rue Versailles to conform revised elevations.
Marseilles Drive	22	12/19/03	\$1,457,597.75	\$21,793.75	\$1,479,391.50	\$13,212.50	85%		38	To install new drainage system along Marseille Drive, Labor and equipment
Marseilles Drive	23	12/19/03	\$1,479,391.50	\$3,474.00	\$1,482,865.50	\$9,738.50	85%		0	To install new drainage system along Marseille Drive, material.
Marseilles Drive	24	12/19/03	\$1,482,865.50	(\$438.00)	\$1,482,427.50	\$10,176.50	85%		0	Credit to the CMB for 2-1/2" water meter of Irrigation system.
Marseilles Drive	25	12/19/03	\$1,482,427.50	\$1,716.00	\$1,484,143.50	\$8,460.50	85%		3	Installation of irrigation main line from STA 7+00 to STA 8+10
Marseilles Drive	26	12/19/03	\$1,484,143.50	\$0.00	\$1,484,143.50	\$8,460.50	85%		2	16" water main tied in, Change Order for 2 additional days only.
Marseilles Drive	27	1/7/04	\$1,484,144.75	(\$11,796.00)	\$1,472,348.40	\$20,256.50	90%		0	Deleted work at Cul-De-Sac of Rue Notre Dame.
Marseilles Drive	28	1/7/04	\$1,472,348.40	(\$5,534.50)	\$1,466,813.90	\$25,791.00	90%		3	Deleted Landscape work at Rue Versailles & N. Drive.
Marseilles Drive	29	1/7/04	\$1,466,813.90	(\$1,055.00)	\$1,465,758.90	\$26,846.00	90%		0	Deleted Landscape work at Rue Notre Dame & N. Drive.
Marseilles Drive	30	1/7/04	\$1,465,758.90	\$400.00	\$1,465,358.90	\$26,446.00	90%		1	Additional Sidewalk at East side of R. Notre Dame & N. Drive.
Marseilles Drive	31	1/7/04	\$1,465,358.90	\$622.00	\$1,466,820.90	\$25,784.00	90%		0	Additional Pictures for August, September & October.
Marseilles Drive	32	1/7/04	\$1,466,820.90	\$495.00	\$1,467,315.90	\$25,289.00	90%		1	To Replace Irrigation Backflow Preventer
Marseilles Drive	33	1/7/04	\$1,467,315.90	\$0.00	\$1,467,315.90	\$25,289.00	90%		12	Additional Time for Landscaping, Marking due to Water Meter
Marseilles Drive	34	1/7/04	\$1,467,315.90	\$550.00	\$1,467,865.90	\$24,739.00	90%		2	Repair Brick Pavers at East & West side of Rue Versailles & N. Drive.
Marseilles Drive	35	1/7/04	\$1,467,865.90	\$0.00	\$1,467,865.90	\$24,739.00	90%		6	Additional Time for the Last Lift of Asphalt along Marseille.
Marseilles Drive	36	1/7/04	\$1,467,865.90	\$3,057.00	\$1,470,922.90	\$21,682.00	95%	\$159,614.97	18	Modification to Service Track plus installation of Electric Meter Can
Normandy Isle Park and Pool	1	9/10/02	\$2,264,000.00	\$1,708.00	\$2,265,708.00	\$218,004.00	0.05%		0	Reimbursement for payment for Removal of FPL facilities from Pool Building
Normandy Isle Park and Pool	2	9/10/02	\$2,265,708.00	\$0.00	\$2,265,708.00	\$218,004.00	0.05%		84	Time delay related to waiting for relocation of County and FDOT facilities

Bolded items reflect Change Orders that have occurred since the last General Obligation Bond Oversight Committee meeting.

General Obligation Bond Oversight Committee
Change Order Report - February 2004

Project	CO #	Date of Approval	Original Contract Amount	Change Order Amount	Revised Contract Amount	Remaining Contingency	% of Project Complete (approx.)	Contract Amount Remaining to be Paid	# of Days	Purpose
Normandy Isle Park and Pool	3	3/10/03	\$2,265,708.00	\$1,078.00	\$2,266,786.00	\$216,926.00	0.05%		0	Additional work to dig test pits
Normandy Isle Park and Pool	4	12/10/02	\$2,266,786.00	\$179,000.00	\$2,445,786.00	\$37,926.00	1.00%		0	To reinstate the piling foundation system and concrete deck previously removed during value engineering
Normandy Isle Park and Pool	5	10/7/03	\$2,445,786.00	\$0.00	\$2,445,786.00	\$37,926.00	25%			Approved additional 102 days due to negotiations related with the pool deck.
Normandy Isle Park and Pool	6	12/3/03	\$2,445,786.00	\$15,864.98	\$2,461,650.98	\$37,926.00	35%			P&R Requested modifications and additions to contract.
Normandy Isle Park and Pool	7	1/14/04	\$2,461,650.98	\$23,488.75	\$2,485,139.73	\$37,926.00	35%	\$1,424,349.33		To install additional floor drains, Demolish & disposal existing Playground, installing P.V.C. for irrigation, Changes along deck level.
North Shore Open Space Park - Phase II	1	10/15/02	\$361,651.00	\$300.00	\$361,951.00	\$40,265.00	25%		0	Demolish and dispose two (2) existing vita course stations (not included in original scope)
North Shore Open Space Park - Phase II	2	10/28/02	\$361,951.00	\$1,477.00	\$363,428.00	\$38,788.00	28%		0	Installation of 2 4" sleeves at three locations under the newly installed 15' wide pathway
North Shore Open Space Park - Phase II	3	11/14/02	\$363,428.00	\$2,642.71	\$366,070.71	\$36,145.29	30%		0	re-grading of the areas of the old guard house and along the existing pathway in order to allow a smoother grade/transition
North Shore Open Space Park - Phase II	4	11/14/02	\$366,070.71	\$199.03	\$366,269.74	\$35,946.26	30%		0	Deletion of Asphalt Striping and addition of 1" of asphalt from 79th Street to 81st Street as a means of reinforcing surfacing for anticipated heavy traffic
North Shore Open Space Park - Phase II	5	5/19/03	\$366,269.74	(\$6,770.40)	\$359,499.34	\$42,716.66	100%	\$	0	Credit for 7,440 square feet of defective asphalt.
North Shore Park and Youth Center	1	4/11/02	\$5,659,357.00	\$6,000.00	\$5,665,357.00	\$307,168.00	3%			To hire a locator service to locate and identify underground utilities
North Shore Park and Youth Center	2	4/29/02	\$5,665,357.00	\$4,480.00	\$5,669,837.00	\$302,688.00	5%			To dispose of sports lighting poles and selected foundations (Park Portion)
North Shore Park and Youth Center	3	4/29/02	\$5,669,837.00	\$12,086.00	\$5,681,923.00	\$290,602.00	5%			To provide separate electrical meter services for the Tennis Center as requested by the Parks & Rec. Dept. (Park Portion)
North Shore Park and Youth Center	4	8/5/02	\$5,681,923.00	\$89,776.00	\$5,771,699.00	\$290,602.00	11%		0	To include value engineered items back in the project: different locker construction, alternate door construction and size, alternate wood gymnasium floors and construction of 2 additional tennis courts (originally anticipated). Funded through GO Bond funds reallocated after addition of CDBG funds.
North Shore Park and Youth Center	5	8/5/02	\$5,771,699.00	\$321,526.00	\$6,093,225.00	\$290,602.00	11%		0	To include sport lighting for the project (originally anticipated). Funded through GO Bond funds reallocated after addition of CDBG funds.
North Shore Park and Youth Center	6	8/9/02	\$6,093,225.00	\$61,965.00	\$6,155,190.00	\$228,637.00	15%		0	To provide 6 storm drain retention tanks to meet DEP requirements.

**General Obligation Bond Oversight Committee
Change Order Report - February 2004**

Project	CO #	Date of Approval	Original Contract Amount	Change Order Amount	Revised Contract Amount	Remaining Contingency	% of Project Complete (approx.)	Contract Amount Remaining to be Paid	# of Days	Purpose
North Shore Park and Youth Center	7	8/21/02	\$6,155,190.00	\$21,076.00	\$6,176,266.00	\$207,561.00	18%		0	To relocate the and upgrade the existing FPL Transformer
North Shore Park and Youth Center	8	10/24/02	\$6,176,266.00	\$10,939.00	\$6,187,205.00	\$196,622.00	30%		24	Relocation of 5 pigeon plums as requested by DERM and additional exit lights within the Tennis Center as requested by The Building Department
North Shore Park and Youth Center	9	11/13/02	\$6,187,205.00	\$38,872.00	\$6,226,077.00	\$196,622.00	38%		0	Additional 2 clay tennis courts for total of 12 courts. Funding came from North Beach Quality of Life/Resort Tax Fund
North Shore Park and Youth Center	10	1/8/03	\$6,226,077.00	\$1,403.00	\$6,227,480.00	\$195,219.00	50%		108	Cost for stand alone fire alarm system for Tennis Center (\$7,830), credit for changes to main sewer line (-\$2,027.52), and raising top of footing elevation at Youth Center and Gymnasium (-\$4,400)
North Shore Park and Youth Center	11	1/8/03	\$6,227,480.00	\$11,447.00	\$6,238,927.00	\$183,772.00	50%		0	Additional exit signs for Tennis Center (\$1,857) and reconfiguration of storm drainage system (9,590)
North Shore Park and Youth Center	12	1/8/03	\$6,238,927.00	\$28,548.00	\$6,267,475.00	\$155,224.00	50%		0	Additional data services requested by owner, upgrade of window color, and location of a drain at practice tennis court
North Shore Park and Youth Center	13	2/14/03	\$6,267,475.00	\$6,272.00	\$6,273,747.00	\$148,952.00	55%			Additional phone conduit & receptacle (owner request), concrete pad for FPL electric transformer, and structural change to support A/C ducts in Gym north wall
North Shore Park and Youth Center	14	5/19/03	\$6,273,747.00	\$30,464.00	\$6,304,215.00	\$136,242.00	75%		0	1. Provision of gypsum drywall ceiling for Tennis Center restrooms-\$1,290; 2. Inclusion of Value Eng. Item 16R - \$17,754; 3. Exterior paint color sample -\$237; 4. Removal of trees \$1,881.25; 5. Additional 4" roof drain-\$1,616; 6. Tennis court irrigation line \$3,773; 7. Additional roof insulation-\$1,773.75; 8. Two(2) 2" PVC Duct Bank- \$2,138.60
North Shore Park and Youth Center	15	6/10/03	\$6,304,215.00	\$66,464.00	\$6,370,679.00	\$105,273.00	75%		20	1.Drop ceiling in Tennis Center- \$748; 2. Provision of access ladder to access the roof \$3,333; 3. Construction of 4 dugouts-\$57,502; 4. Installation of additional strobe lights- \$4,881. Additional 20 days was granted for construction of dugouts.
North Shore Park and Youth Center	16	7/15/03	\$6,370,679.00	\$24,045.00	\$6,394,724.00	\$81,228.00	75%		31	1. Relocation of 2 light poles at the Tennis Center \$12,220 - 2. Addition of 6 area drains on the north side of the Tennis court area to introduce an underground drainage system.
North Shore Park and Youth Center	17	7/15/03	\$6,394,724.00	\$7,750.00	\$6,402,474.00	\$73,478.00	75%		10	1. Sidewalk addition to provide access to the entry ramps south of the building - \$7,075; 2. Addition of sprinkler heads requested by Fire Inspector - \$1,753; 3. Credit for deletion of stucco at Youth Center West wall - (\$1,078). Contract time will be increased 10 days for Phase 3 and 31 days for Phase 2.
North Shore Park and Youth Center	18	8/25/03	\$6,402,474.00	\$6,219.00	\$6,408,693.00	\$67,259.00	85%		0	Four picket gates at North and South Entrances not shown on contract documents.

Bolded items reflect Change Orders that have occurred since the last General Obligation Bond Oversight Committee meeting.

**General Obligation Bond Oversight Committee
Change Order Report - February 2004**

Project	CO #	Date of Approval	Original Contract Amount	Change Order Amount	Revised Contract Amount	Remaining Contingency	% of Project Complete (approx.)	Contract Amount Remaining to be Paid	# of Days	Purpose
North Shore Park and Youth Center	19	8/25/03	\$6,408,693.00	\$19,298.00	\$6,427,991.00	\$47,961.00	85%	\$ 794,688.00	0	Install two rain water scuppers and additional roofing at West Entrance. Enclosure of ductwork a gymnasium.
Scott Rakow Youth Center	1	1/16/02	\$2,845,700.00	\$47,300.00	\$2,893,000.00	\$0.00	10%		0	Alternates 1, 2 and 4 for Phasing plan, outdoor rubber flooring and landscaping
Scott Rakow Youth Center	2	N/A	\$0.00	\$0.00	\$0.00	\$0.00	0%		0	VOIDED
Scott Rakow Youth Center	3	2/19/02	\$2,893,000.00	\$0.00	\$2,893,000.00	\$0.00	30%		89	89 day time extension
Scott Rakow Youth Center	4	2/19/02	\$2,893,000.00	(\$36,008.00)	\$2,856,992.00	\$0.00	50%		0	Delete elevator and folding partitions
Scott Rakow Youth Center	5	5/2/02	\$2,856,992.00	\$29,700.00	\$2,886,692.00	\$250,000.00	60%		0	Relocate utilities, additional electrical service to ice rink, reroute Bell South underground service
Scott Rakow Youth Center	6	9/24/02	\$2,886,692.00	\$36,008.00	\$2,922,700.00	\$213,992.00	70%		0	Adding back in the elevator and folding partitions
Scott Rakow Youth Center	7	9/24/02	\$2,922,700.00	\$160,594.77	\$3,083,294.77	\$53,397.23	70%		0	Rerouting storm pipe, additional fire devices and fixtures, repairs to broken water main, remobilization for auger cast piles, paint locker room walls and ceilings, relocation of pedestrian crossing signal, repair of BellSouth lines, repair concrete beams, Zamboni water heater, Water Absorption Tank and monitoring system, rerouting conduit, HVAC unit roof frame, delete basketball court floor replacement work, new foundation for north stairs, modifications to roof and roof structure
Scott Rakow Youth Center	8	11/8/02	\$3,083,294.77	\$9,306.25	\$3,092,601.02	\$4,166.00 *	80%		0	Installation of louvered door at mechanical room
* Specific costs were paid out of project contingency to FPL, Bell South, PSI Geotechnical, Threshold Inspector. These costs were not paid through the contractor and therefore would not be a part of a change order to the Contractor.										
Scott Rakow Youth Center	9	1/8/03	\$3,092,601.02	(\$21,016.08)	\$3,071,584.94	\$25,182.08	85%		0	Credit for security guard services and ammonia monitoring system. System will be monitored through Fire Alarm panel.
Scott Rakow Youth Center	10	1/8/03	\$3,071,584.94	\$11,844.81	\$3,083,429.75	\$13,337.27	85%		0	Electrical wiring modifications for existing pool and restrooms; furnish and install new light fixture at entrance; furnish and install new 480v/60amp electrical feeder for new water heater and pump at Zamboni room
Scott Rakow Youth Center	11	2/25/03	\$3,083,429.75	\$2,950.11	\$3,086,379.86	\$110,387.16	85%		0	Work required for fire alarm panel relocation, and addition of strobe and horn for ammonia leak detection device. \$100,000 was added to the project contingency.

**General Obligation Bond Oversight Committee
Change Order Report - February 2004**

<u>Project</u>	<u>CO #</u>	<u>Date of Approval</u>	<u>Original Contract Amount</u>	<u>Change Order Amount</u>	<u>Revised Contract Amount</u>	<u>Remaining Contingency</u>	<u>% of Project Complete (approx.)</u>	<u>Contract Amount Remaining to be Paid</u>	<u># of Days</u>	<u>Purpose</u>
Scott Rakow Youth Center	12	4/4/03	\$3,086,379.86	\$10,406.70	\$3,096,786.56	\$99,980.46	85%		0	Relocation of electrical equipment, installation of panic hardware at ice rink entrance doors, and automation of ice rink equipment room fan with ammonia detection panel.
Scott Rakow Youth Center	13	6/30/03	\$3,096,786.56	\$39,860.58	\$3,136,647.14	\$60,119.88	90%		0	Installation of new louver and ductwork to maintain fresh air intake at existing mechanical room, installation of new emergency exit lights, new 42" railing at entry ramp area, additional conduit and wiring to connect ice rink equipment room exhaust fan to fire alarm panel.
Scott Rakow Youth Center	14	8/7/03	\$3,136,647.14	(\$4,500.00)	\$3,132,147.14	\$64,619.88	90%	\$580,162.93	0	Credit for deletion of 4-foot concrete sidewalk along Pine Tree Drive.
Tatum Park	1	2/23/00	\$341,518.36	\$50,987.25	\$392,505.61					new basketball court (originally anticipated)
Tatum Park	2	2/23/00	\$392,505.61	\$33,012.05	\$425,517.66	\$4,477.89	81%			sports and security lighting (originally anticipated)
Tatum Park	3	11/1/01	\$425,517.66	(\$1,800.00)	\$423,717.66	\$6,277.89	100%	\$ -		Contractor's portion of Safety Surface Installation

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **REPORT OF THE FEBRUARY 9, 2004 - LAND USE AND DEVELOPMENT
COMMITTEE MEETING**

1. Selection of Chairperson and Vice-Chairperson per Resolution No. 2003-25446.

Motion: Commissioner Gross nominated Commissioner Garcia as Chair of the Land Use and Development Committee. There being no other nominations, Commissioner Garcia was elected by acclamation.

2. Discussion on Lincoln Road Street End Project.

Mr. Russell Galbut, owner of the surface parking lot associated with Decoplage, presented the concept of allowing increased floor area (approximately 10,000 sf of Retail) added to this site in exchange for a pedestrian access easement at the Lincoln Road street-end.

This easement would be adjacent to the existing easement already acquired from the Dilido (Ritz-Carlton) property.

The Administration has determined that such an increase in floor area of this waterfront property would require, under the City's Charter, citywide voter approval.

Motion: to discuss this issue further with the full Commission. Bower/Garcia (3-0)

JMG/CMC/JGG/rar

T:\AGENDA\2004\Feb2504\Regular\Land Use REPORT Feb-09-04.doc

Agenda Item CGD
Date 2-25-04

THIS PAGE INTENTIONALLY LEFT BLANK

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution Authorizing The City Manager To Apply For And Accept Five (5) Grants.

Issue:

Shall The City Apply For The Following Five Grants?

Item Summary/Recommendation:

The Administration Requests Approval To Submit Applications For Grant Funds To The Following Agencies: 1) Florida Department Of Community Affairs, Division Of Emergency Management For Grant Funds In An Amount Not To Exceed Of \$13,000 Made Available Through The 2004-2005 Community Emergency Response Team Program; 2) Florida Department Of Community Affairs Made Available Through The United States Department Of Justice Operation Liberty Shield Reimbursement Grant Fund Program In An Amount Not To Exceed \$75,000; 3) Two Applications To The Florida Department Of Community Affairs, Division Of Emergency Management, For Funds Available From The Emergency Management And Assistance Trust Fund; And, 4) To Enter Into A Subcontract Agreement Between The City Of Miami Beach And The Florida International University Board Of Trustees For Grant Funding From The U.S. Department Of Housing And Urban Development In The Amount Of \$319,714 For The North Shore Park And Youth Center Renovation Project; Further Appropriating The Grants If Approved And Accepted By The City; And Authorizing The Execution Of All Necessary Documents Related To These Applications.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:		Match Amount	Match Account Source
	1- CERT Program	N/A	No Match Required
	2-Operation Liberty Shield	N/A	No Match Required
	3 – Emergency Management & Assistance Fund	\$300,000 (EOC) \$50,000 (Reverse 911)	Funds were appropriated on 11/29/00 Resolution #2000-24192 No Match Required
	4-FIU/HUD	\$319,714	GO Bond Funds

City Clerk's Office Legislative Tracking:

Judy Hoanshelt/Alexander Diaz

Sign-Offs:

Department Director	Assistant City Manager	City Manager

Agenda Item C7A
Date 2-25-04

CITY OF MIAMI BEACH


CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager 

Subject: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT APPLICATIONS FOR GRANT FUNDS TO THE FOLLOWING AGENCIES: 1) FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT FOR GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$13,000 MADE AVAILABLE THROUGH THE 2004-2005 COMMUNITY EMERGENCY RESPONSE TEAM PROGRAM; 2) FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS MADE AVAILABLE THROUGH THE UNITED STATES DEPARTMENT OF JUSTICE OPERATION LIBERTY SHIELD REIMBURSEMENT GRANT FUND PROGRAM IN AN AMOUNT NOT TO EXCEED \$75,000; 3) TWO APPLICATIONS TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT, FOR FUNDS AVAILABLE FROM THE EMERGENCY MANAGEMENT AND ASSISTANCE TRUST FUND; AND, 4) TO ENTER INTO A SUBCONTRACT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES FOR GRANT FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE AMOUNT OF \$319,714 FOR THE NORTH SHORE PARK AND YOUTH CENTER RENOVATION PROJECT; FURTHER APPROPRIATING THE GRANTS IF APPROVED AND ACCEPTED BY THE CITY; AND AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS RELATED TO THESE APPLICATIONS.

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

1. Retroactive approval to apply to the Florida Department of Community Affairs, Division of Emergency Management for grant funds in an amount not to exceed of \$13,000.00 made available through the 2004-2005 Community Emergency Response Team Program.

The Community Emergency Response Team (CERT) program provides a structured opportunity for citizens to augment local emergency response activities. Program funds will be used to train people to be prepared for emergency situations that may arise in their communities. CERT members give critical support to first responders in emergency situations. The funds would be used to off-set City costs associated with providing CERT training that is currently coordinated by the Neighborhood Service Department. No match is required to apply; this is the City's third application for funding.

2. Approval to apply for grant funds administered by the Florida Department of Community Affairs made available through the United States Department of Justice Operation Liberty Shield Reimbursement grant fund program in an amount not to exceed \$75,000.

The State of Florida Department of Community Affairs serves as the grant administrator for funds made available through the United States Department of Justice, Operation Liberty Shield Reimbursement program. This program reimburses local law enforcement agencies for overtime costs associated with the heightened security measures implemented during the December 21, 2003 federal code orange alert. Law enforcement agencies who met minimum requirements were eligible for some reimbursement costs; as such, the City of Miami Beach will be submitting a request for funds in an amount not to exceed \$75,000 for eligible expenses incurred during the federal orange alert. The City has a five year contract with the funding agency which provides for a streamlined application process.

3. Retroactive approval to submit two applications to the Florida Department of Community Affairs, Division of Emergency Management, for funds available from the Emergency Management and Assistance Trust Fund.

In 1994, the Legislature acted on many of the recommendations made by the Lewis Commission. One of the bills passed by the Florida Legislature, and later signed by the Governor, called for an annual \$2.00 per policy assessment on homeowners' insurance policy and an annual \$4.00 per policy assessment on business/commercial insurance policies. This bill created the Emergency Management Preparedness and Assistance Trust Fund and declared the Department of Community Affairs as the administrator of the fund.

The City of Miami Beach has identified two projects that would enhance the City's Local Mitigation Strategy while expanding the City's emergency management capabilities. To this end, the Administration has prepared two applications for submittal to the Emergency Preparedness and Assistance Grant Program. In providing the necessary match required by the funding agency, the City of Miami Beach will provide proper documentation of expenditures in an amount not to exceed \$5,000,000. These funds are associated with costs of constructing Fire Station #2 as recommended in the approved 1999 General Obligation Bond Program. In addition, the City of Miami Beach will use identified Administrative budget resources as potential matches.

The projects identified by the Administration are listed below:

Project One: Creation of an Emergency Operation Center

Estimated Project Costs: \$780,000

City Request: \$300,000

Maximum Grant Award: \$300,000

The allocation of General Obligation Bond dollars has afforded the City with a unique opportunity of creating a true Emergency Operation Center for the City of Miami Beach. The City has approved an amount not to exceed \$5,000,000 from the GO Bond program for the construction of a new Fire Station to replace Fire Station # 2. This facility could potentially be designed to serve as an Emergency Operation Center during emergencies. However, additional resources are needed to reinforce the facility and to add additional square footage to accommodate an Emergency Operation Center. A grant in the amount of \$300,000 will be requested to assist the City as we move forward with the project.

Project Two: Reverse 911 Communication Systems

Estimated Project Costs: \$80,000

City Request: \$50,000

Maximum Grant Award: \$50,000

The City Administration has contracted with a reverse 911 provider to service the City of Miami Beach in the event of an emergency or for citywide notices. The reverse 911 system places calls to residents with a scripted pre-recorded message when activated. The system can be used in the event of an emergency, to provide updates with city projects, to advise neighborhoods of potential dangers, to assist in locating a missing person, and for many other factors.

The above listed projects are part of the City Local Mitigation Plan, and require additional funding for implementation and completion. The City will submit three applications to the Emergency Management Preparedness and Assistance Trust Fund Grants program. Matching funds for this grant have already been appropriated.

4. Retroactive approval to submit a Subcontract Agreement between the City of Miami Beach and The Florida International University Board of Trustees to the U.S. Department of Housing and Urban Development for funding in the amount of \$319,714 for capital improvements to North Shore Park and Youth Center Renovation Project.

Florida International University (FIU) has received funding under a grant agreement from the U.S. Department of Housing and Urban Development (HUD), Hispanic-Serving Institutions Assisting Communities Program to provide funding to a local community-based project. The program represents an opportunity for Hispanic-serving colleges and universities to help improve the quality of life in their local communities.

As such, FIU has entered into a subcontract agreement with the City to provide these funds for renovation of the North Shore Park and Youth Center Project. The project will

serve an adjacent HUD-approved Neighborhood Revitalization Strategy area which has a large population (74%) of low/moderate income families.

The scope of work for this project includes: 1) Construction of a Park Concession Facility; 2) Construction of Restroom Building; 3) Renovation of the existing baseball field; and 4) Construction of a Tot lot. The total project cost is estimated at \$965,000, of which the baseball field renovation work, valued at \$630,000, is already completed and is being used as matching funds. The tot lot is budgeted at a cost of \$85,000, a portion of this is being used as matching funds for this grant. The total cost of the concession and restroom building is budgeted at \$250,000. In total, the City has already matched this grant with funds in the amount of \$645,286.

The Subcontract agreement will be submitted for review and final approval by the US. Department of Housing and Urban Development.

In conclusion, the Administration recommends that the Mayor and City Commission authorize the City Manager or his designee to seek the aforementioned grant funding.

JMG/MD/JH/ROHAD

T:\AGENDA\2004\Feb\2504\Consent\grantsmem.doc

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT APPLICATIONS FOR GRANT FUNDS TO THE FOLLOWING AGENCIES: 1) FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT FOR GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$13,000 MADE AVAILABLE THROUGH THE 2004-2005 COMMUNITY EMERGENCY RESPONSE TEAM PROGRAM; 2) FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS MADE AVAILABLE THROUGH THE UNITED STATES DEPARTMENT OF JUSTICE OPERATION LIBERTY SHIELD REIMBURSEMENT GRANT FUND PROGRAM IN AN AMOUNT NOT TO EXCEED \$75,000; AND 3) TWO APPLICATIONS TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT, FOR FUNDS AVAILABLE FROM THE EMERGENCY MANAGEMENT AND ASSISTANCE TRUST FUND; ALSO AUTHORIZING THE EXECUTION OF A SUBCONTRACT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES FOR GRANT FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE AMOUNT OF \$319,714 FOR THE NORTH SHORE PARK AND YOUTH CENTER RENOVATION PROJECT; FURTHER APPROPRIATING THE AFORESTATED GRANTS IF APPROVED AND ACCEPTED BY THE CITY, AND AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS RELATED TO THESE APPLICATIONS

WHEREAS, the Administration requests retroactive approval to apply to the Florida Department of Community Affairs, Division of Emergency Management for grant funds in an amount not to exceed \$13,000 made available through the 2004-2005 Community Emergency Response Team Program (CERT); and

WHEREAS, the Community Emergency Response Team Program (CERT) provides a structured opportunity for citizens to augment local emergency responsibilities; and

WHEREAS, the funds would be used to off-set City costs associated with providing CERT training that is currently coordinated by the Neighborhood Services Department; and

WHEREAS, no matching funds are required of this Program; and

WHEREAS, the Administration requests approval to submit a grant application in an amount not to exceed \$75,000 to the Florida Department of Community Affairs through funds made available from the United States

Department of Justice Operation Liberty Shield Reimbursement Program; and

WHEREAS, the Program reimburses local law enforcement agencies for overtime costs associated with the heightened security measures implemented during the December 21, 2003 Federal "orange alert"; and

WHEREAS, the City of Miami Beach Police Department seeks reimbursement of funds for eligible costs incurred during this period; and

WHEREAS, matching funds are not required for this Program; and

WHEREAS, the Administration has identified two projects that would enhance the City's Local Mitigation Strategy while expanding the City's emergency management capabilities, and has prepared two applications for submittal to the Emergency Preparedness and Assistance Grant Program; and

WHEREAS, the first project would support the creation of an Emergency Operation Center, while the second would enhance the City's efforts in supporting a Reverse 911 Communication System; and

WHEREAS, the necessary matching funds have been previously appropriated; and

WHEREAS, Florida International University (FIU) has received funding under a grant agreement from the U.S. Department of Housing and Urban Development (HUD), Hispanic-Serving Institutions Assisting Communities Program, to provide funding to a local community-based project; and

WHEREAS, the program represents an opportunity for Hispanic-serving colleges and universities to help improve the quality of life in their local communities; and

WHEREAS, FIU has entered into a subcontract agreement with the City to provide funds in the amount of \$319,714 for the renovation of the North Shore Park and Youth Center Project, which has a large population of low/moderate income families.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission authorize the City Manager or his designee to submit the following grant applications: 1) Florida Department of Community Affairs, Division of Emergency Management for grant funds in an amount not to exceed of \$13,000 made available through the 2004-2005 Community Emergency Response Team Program; 2) Florida Department of Community Affairs funds made available through the United States Department of Justice Operation Liberty Shield Reimbursement grant fund program in an amount not to exceed \$75,000; and 3) two applications to the Florida Department of Community Affairs, Division of Emergency Management, for funds available from the Emergency Management and Assistance Trust Fund; and be it further resolved that the City Manager is retroactively authorized to execute that subcontract agreement

between the City of Miami Beach and Florida International University Board of Trustees for grant funding from the U.S. Department of Housing and Urban Development in the amount of \$319,714 for the North Shore Park and Youth Center Renovation Project attached and made a part hereof; and be it further resolved that the funds from the grant which are approved and accepted by the City are appropriated for and to the purposes for which they are granted and the City Manager is authorized to execute all necessary documents related to these applications.

PASSED and ADOPTED this _____ day of _____, 2004

ATTEST:

CITY CLERK

MAYOR

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

M. H. Dull 2-20-04
City Attorney Date

SUBCONTRACT
BETWEEN
CITY OF MIAMI BEACH
AND
THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES

Subcontract No. _____

This subcontract entered into between City of Miami Beach, (hereinafter "Subcontractor"), and The Florida International University Board of Trustees (hereinafter "FIU"), to conduct the work related to the project entitled "North Shore Park and Youth Center" (hereinafter, the "Project") funded by the U.S. Department of Housing and Urban development (the "Sponsor") to FIU under Grant Agreement number HSIAC 99-FL-17. FIU and Subcontractor shall hereinafter be referred to collectively as the "Parties".

WITNESSETH:

WHEREAS, FIU desires to engage and retain the services of Subcontractor and Subcontractor desires to accept such engagement.

NOW THEREFORE, in consideration of the foregoing and mutual promises, covenants and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

I. PERIOD OF PERFORMANCE

This subcontract shall become effective on the last date signed, and shall terminate on January 31, 2005 ("Project Period").

Performance may be extended and/or renewed for additional periods by the mutual written agreement of the Parties. Renewal shall be contingent upon satisfactory performance evaluations by the Sponsor and subject to the availability of funds.

II. PROJECT ADMINISTRATOR

All questions concerning administration of this subcontract should be addressed to:

FOR FIU:

Patricia Alvarez
Director
Division of Sponsored Research & Training
Florida International University
University Park Campus/PC539
Miami, Florida 33199
Phone: (305) 348-2494
Fax: (305) 348-4117

FOR SUBCONTRACTOR:

Jorge M. Gonzalez
City Manager
City of Miami Beach,
1700 Convention Center, Miami Beach FL.33139

Phone: 305-673-7010
Fax: 305-673--7782

III. PROJECT DIRECTOR

FOR FIU:

Harlan Sands
Executive Director
Hemispheric Center for Environmental Technology
At FIU
10555 West Flagler Street, S2100
Miami, FL 33174
Phone: 305-348-1752
Fax: 305-34-5018

FOR SUBCONTRACTOR:

Judy Hoanshelt
Grants Manager
City of Miami Beach
1700 Convention Center
City of Miami Beach,
Fl 33139
Phone: 305-673-~~7782~~ 7010
Fax: 305-673-7782

IV. STATEMENT OF WORK

Specific Responsibilities of Subcontractor will be found in the attached Statement of Work (Appendix A hereto).

V. ALLOCATION OF FUNDS

1. Funds provided for Subcontractor's involvement in this project shall not exceed \$ 319,714.00 per the budget attached hereto as Appendix B. **This is a cost reimbursable contract.**
2. Subcontractor shall invoice FIU as appropriate. Payment to the Subcontractor shall be made in U.S. funds, via check or state warrant.
3. The funds provided under this subcontract may not be expended for the purpose of lobbying the Florida Legislature or a State of Florida agency.
4. Subcontractor is subject to OMB Circular A-133 must submit a detailed invoice for payment including a description of the services provided, items purchased, dates and amounts. Subcontractor must submit supporting documentation for all travel expenses together with the detailed invoice. Reimbursement for travel expenses must be in accordance with Fla. Stat. Section 112.061 except that reimbursement for travel expenses incurred by non-state of Florida personnel traveling under a subcontract agreement may be in accordance with the provisions of the applicable prime contract or grant. FIU reserves the right to request supporting documentation for any other or all items listed on Subcontractor's invoices. Subcontractor shall retain supporting documentation for all invoices submitted to FIU for a period of five (5) years.
5. When invoicing FIU, Subcontractor must send the supporting documentation listed above, together with the detailed invoice to FIU. FIU cannot pay Subcontractor without the required supporting documentation.
6. Invoice for payment, together with required supporting documentation for the invoices

charges, should be sent to: Harlan Sands, Project Director. 10555 W. Flagler, Room 2100, Miami, FL 33174, and will be reimbursed within 60 days of receipt of the invoices.

VI. REPORTING PROCEDURES

Technical Reports - Subcontractor shall maintain clear and accurate records of the work conducted throughout the project period so that FIU Project Director may readily evaluate the progress of the study at any time.

Subcontractor shall submit two partial progress reports by: June 30, and December 31, 2004. Also, a final fiscal report of expenditures is required upon expiration of the subcontract.

VII. REGULATORY DATA

The Sponsor has awarded the prime contract to FIU, and this Subcontract is contingent to the Sponsor approval of the terms of the Subcontract. A copy of the prime contract is attached and incorporated as Appendix C (the "Prime Contract"). All grant administration and regulatory data required by the Prime Contract shall be applicable to this subcontract as appropriate. All conditions embodied in the Prime Contract shall become binding upon Subcontractor. Subcontractor assumes sole responsibility for reimbursement to the Sponsor of any expenditures disallowed should the Sponsor or an authorized agency rule, through audit exception, or by some other appropriate means, that expenditures from funds allocated to Subcontractor for direct and/or indirect costs were not made in compliance with the regulations of the Sponsor, the granting agency or the provisions of this subcontract.

VIII. INDEPENDENT CONTRACTOR/NO CONFLICT OF INTEREST

The officers, employees and agents of Subcontractor shall not be considered the officers, employees or agents of FIU for purposes of accomplishing the work to be performed under this Subcontract or for any other purpose. Subcontractor is furnishing its services hereunder, as an independent contractor and nothing herein shall create any association, partnership or joint venture between the parties to this subcontract or any employer-employee relationships. Nothing in this agreement shall be deemed to affect the rights, privileges and immunities afforded The FIU Board of Trustees, the Florida Board of Education and the State of Florida by law.

The Subcontractor certifies that, to the best of its knowledge, there is no perceived or apparent conflict of interest related to the work to be performed under this subcontract.

IX. SUBCONTRACTOR'S RESPONSIBILITY

Subcontractor shall be responsible for its performance under this subcontract.

X. TERMINATION

XI.

A. Termination at Will:

If FIU's grant should be terminated during the performance of this subcontract, or should the grant funding for support be deleted or reduced, FIU may, by written notice to Subcontractor, terminate this subcontract.

This agreement may be terminated by either party hereto by written notice to the other party of such intent to terminate at least **sixty (60)** days prior to the effective date of such termination.

B. Termination for Breach:

Unless Subcontractor's breach is excused by FIU in writing, FIU may, by written notice of breach transmitted to Subcontractor by certified mail return receipt requested to the parties designated by Subcontractor in Articles II and III and if Subcontractor fails within 30 days after notice, to cure such alleged breach, or, if cure cannot be accomplished within 30 days to commence said cure and prosecute same continuously to completion, FIU may terminate the whole or any part of this subcontract, upon 72 hours written notice of termination. Subcontractor may, if feasible, continue the performance of this subcontract to the extent not terminated under the provision of this clause.

C. Non-Waiver/Notices:

Failure by either Party to insist upon strict performance of any of the provisions of this subcontract, or either Party's failure or delay in exercising any rights or remedies provided herein or by law, shall not be deemed a waiver of any rights of either Party to insist upon strict performance hereof or of any of either Party's rights or remedies under this contract or law, and shall not operate as a waiver of any of the provisions hereof or as a modification of the terms of the subcontract.

Any notice required by this subcontract shall be delivered by Certified Mail, return receipt requested, by facsimile transmission, or in person.

D. Termination Arrangements:

After receipt of a notice of termination and except as otherwise directed by FIU, Subcontractor shall:

- a. Handle all FIU property as directed by FIU.
- b. Prepare all necessary reports and document required under the terms of the subcontract up to the date of termination, including the final report due at the end of the project.

Regardless of reasons for the termination, FIU shall compensate Subcontractor for actual costs incurred at the time of termination less any amount due FIU as set-off for any damages.

caused by Subcontractor should the termination of this subcontract have been caused by Subcontractor's breach.

XI. MODIFICATION

This subcontract may only be changed or modified by an amendment executed by the Parties in the same fashion as the original.

XII. APPLICABLE LAW

The Parties' rights, obligations and remedies under this subcontract shall be interpreted and governed in all respects by the laws of the State of Florida. The Parties consent to the sole and exclusive jurisdiction of the courts of the State of Florida in connection with any dispute arising out of this subcontract and agree to submit to the personal jurisdiction and venue of a court of subject matter jurisdiction located in Miami-Dade County, State of Florida

XIII. SUPPLEMENTAL PROVISIONS

Subcontractor agrees to the provisions set forth in Appendices E and F attached hereto and incorporated herein.

XIV. COMPLETE AGREEMENT

This subcontract is intended as the complete and exclusive statement of the agreement between the Parties. Parole or extrinsic evidence shall not be used to vary or contradict the express terms of this subcontract, and recourse may not be had to alleged dealings, usage of trade, course of dealing, or course of performance to explain or supplement the express terms of this subcontract.

All appendices to this subcontract are incorporated as if set out fully herein. In the event of any inconsistency(ies) or conflict(s) between the language of this subcontract and the attachments hereto, the language of such attachments shall be controlling but only to the extent of such conflict(s) or inconsistency(ies).

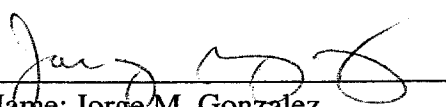
IN WITNESS WHEREOF, the parties have caused this agreement to be executed by their respective duly authorized officers.

**The Florida International University
Board of Trustees**

City of Miami Beach



Patricia Alvarez
Director, Division of Sponsored
Research & Training
Florida International University



Name: Jorge M. Gonzalez
Title: City Manager
City of Miami Beach

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution of the City Commission approving Amendment No. 2, in the amount of \$30,500, to the Agreement with Tetra-Tech WHS, A/E consultant for the Normandy Isle/Normandy Sud ROW Project for a planning study, the re-design of the lighting system per new City standards, and additional re-design services of the landscape and streetscape.

Issue:

Shall the City Commission adopt the Resolution?

Item Summary/Recommendation:

The City Commission adopted Resolution No. 2001-24505, on July 18, 2001, approving and authorizing an Agreement with Williams, Hatfield and Stoner, now known as Tetra-Tech WHS, (TTWHS) for Professional Services for the Normandy Isle/Normandy Sud ROW project at a not to exceed fee of \$617,664. On June 19, 2002, The City Commission adopted Resolution No. 2002-24903, approving the Basis of Design Report (BODR) defining the funded capital improvements to be implemented in the neighborhood. The approved BODR included a lighting system designed to provide an average of 1.0 foot candle level of illumination throughout the neighborhood. The Public Works Department has now established a new criterion that is more appropriate to a residential neighborhood of an average of 0.6 foot candles for lighting levels in residential areas which requires a re-design of the system. The former standard has been judged to be more appropriate to commercial areas. The re-design will produce an expected credit for the reduced amount of light fixtures roughly estimated at \$226,000. On October 21, 2003, the City held the first Community Design Review Meeting (CDRM) to present the 60% design completion stage submittal to the community. Residents expressed opinions regarding the design and requested that some changes be evaluated, primarily the landscape schemes but also some of the hardscape aspects of the project that could be funded from the lighting system re-design savings. CIP requested a fee proposal from TTWHS and directed the consultant to perform an evaluation of selected design suggestions / requests from the residents. This Request for Proposal was issued on November 13, 2003 and is the subject of this Amendment No. 2. The fee proposal presented in this memo is for TTWHS to perform the additional services detailed as follows:

- Lighting levels redesign at a negotiated fee of \$12,003 for Camp Dresser & McKee (CDM), the electrical sub-consultant on the project
- A planning and evaluative study of the requests from the community for changes in the landscape and hardscape design, at a negotiated fee of \$10,176 for Curtis & Rogers, the landscape sub-consultant on the project
- Administration, specifications, coordination and reproduction of documents related to all proposed revisions / studies and the changes for TTWHS, the prime consultant on the project at a negotiated fee of \$8,321

The total requested fee is \$30,500. This fee has been evaluated by H&S and the CIP Office and the latter has negotiated with TTWHS for the final amount. The Administration recommends approving the additional design services.

Advisory Board Recommendation:

The GO Bond Oversight Committee recommended approval at their meeting of Feb. 2, 2004.

Financial Information:

Source of Funds:		Amount	Account	Approved
	1			
	2			
Finance Dept.	Total			

City Clerk's Office Legislative Tracking:

Jorge E. Chartrand

Sign-Offs:

Department Director	Assistant City Manager	City Manager
TH	RCM	

AGENDA ITEM C7B

DATE 2-25-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AMENDMENT NO. #2, IN THE AMOUNT OF \$30,500 , TO THE AGREEMENT, DATED JULY 18, 2001, WITH TETRA-TECH WHS, FORMERLY KNOWN AS WILLIAMS, HATFIELD AND STONER, A/E CONSULTANT FOR THE NORMANDY ISLE/NORMANDY SUD RIGHT OF WAY (ROW) INFRASTRUCTURE IMPROVEMENT PROJECT; FOR THE RE-DESIGN OF THE LIGHTING SYSTEM PER NEW CITY STANDARDS, FOR A PLANNING STUDY RELATED TO HARDSCAPE AND LANDSCAPE REVISIONS ARISING FROM THE COMMUNITY DESIGN REVIEW MEETING, AND FOR ADMINISTRATION, SPECIFICATIONS AND REIMBURSABLES ASSOCIATED WITH THE ADDITIONAL SCOPE; AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," THE FEE DETAIL, AND EXHIBIT "B," THE GEOGRAPHIC AREA OF SAID ADDITIONAL SERVICES.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

FUNDING:

Funds are available and have been appropriated from the 1999 General Obligation Bond funds.

ANALYSIS:

Pursuant to Request for Qualification (RFQ) No. 07-00/01, the Mayor and City Commission adopted Resolution No. 2001-24505, on July 18, 2001, approving and authorizing the Mayor and City Clerk to execute an Agreement with Williams, Hatfield and Stoner, now known as Tetra-Tech WHS, (TTWHS) for Professional Services for the Normandy Isle and Normandy Sud Streetscape Right-of-Way neighborhood project at a not to exceed fee of \$617,664. On June 19, 2002, The Mayor and City Commission adopted Resolution No. 2002-24903, approving the Basis of Design Report (BODR) defining the funded capital improvements to be implemented in the neighborhood.

The approved BODR included a lighting system designed to provide an average of 1.0 foot candle level of illumination throughout the neighborhood. It also included accenting provisions for a gate house and entrance to the area as well as landscape design for the streetscape portion of the project. The Public Works Department has now established new criteria for lighting levels in residential areas. This new criteria is an average of 0.6 foot candles, which requires a redesign for the light pole spacing and for the type of light bulb to be used, which is more appropriate to a residential neighborhood. The former standard has been judged to be more appropriate to commercial areas. The re-design will produce an expected credit for the reduced amount of light fixtures roughly estimated at \$226,000. The final number will be established once the additional services are approved and TTWHS has completed the new lighting system re-design locations. TTWHS will produce a new Estimate of Probable Cost for the lighting system and will identify the expected cost reduction on the project. The intent is to apply a portion of the reduced costs to the additional services request and the rest will be used to enhance other portions of the project as applicable.

On October 21, 2003, the City held the first Community Design Review Meeting (CDRM) to present the sixty percent design completion stage submittal to the community. Since the Special Taxing District for implementation of a gatehouse into the Normandy Sud area was not approved by the residents of the neighborhood during their November vote, residents expressed opinions regarding the design and requested that some changes be evaluated, primarily to landscape schemes but also to some of the hardscape aspects of the project in the proximity of the proposed gatehouse location, as well as to other areas within their sub-neighborhood that could be funded from the lighting system re-design savings. The Capital Improvement Projects (CIP) Office, TTWHS the consultant, and Hazen & Sawyer (H&S), the City's Program Manager, provided comments on the requests, explaining which comments would be feasible from a construction and/or budget perspective. CIP subsequently requested a fee proposal from TTWHS. The City eventually agreed to direct the consultant to perform an evaluation of selected design suggestions / requests from the residents. This Request for Proposal was issued on November 13, 2003 and is the subject of this proposed Amendment No. 2.

It is the CIP Office intent that once the evaluation is completed, the results would be presented to the community again, including applicable construction cost estimate and re-design costs. Once consensus is achieved on additional improvements, if any, those improvements will be implemented. As previously noted, the cost savings resulting from the lighting redesign will be used to fund any changes to the rest of the project agreed to by the community.

On November 13, 2003, the CIP Office issued a request for proposal from TTWHS to perform the planning study based on the community's comments and also to include the re-design of the lighting system. The proposal also needed to include the cost of the changes needed due to the rejection of the gatehouse by the residents.

The fee proposal presented in this memo is for TTWHS to perform the additional services detailed as follows:

- Lighting levels re-design including an estimate of probable cost at a negotiated fee of \$12,003 for Camp Dresser & McKee (CDM), the electrical sub-consultant on the project
- A planning and evaluative study of the requests from the community for changes in the landscape and hardscape design, primarily relating to the failure of the Special Taxing District and deletion of the proposed gatehouse, which had been accommodated in the 60% design documents, at a negotiated fee of \$10,176 for Curtis & Rogers, the landscape sub-consultant on the project
- Administration, specifications, coordination and reproduction of documents related to all proposed revisions / studies and the changes for TTWHS, the prime consultant on the project at a negotiated fee of \$8,321

The total requested fee is \$30,500. This fee has been evaluated by H&S and the CIP Office and the latter has negotiated with TTWHS for the final amount. A map showing the Project boundary is attached as Exhibit "B".

The Administration recommends approving the additional design services, for the lighting re-design, the evaluation study regarding changes to the landscape and hardscape design, the elimination of the guardhouse and the cost of the deliverables, as Amendment No. 2, to the Scope Of Services of the Agreement, dated September 5, 2001, with Tetra-Tech WHS, A/E Consultant for the Normandy Isle/Normandy Sud Right Of Way (ROW) Infrastructure Improvement Project; and authorizing the reallocation of previously appropriated funds for construction in an amount not to exceed \$30,500, from the neighborhood's General Obligation Bond funds for said services, as more particularly described in Exhibit "A," the fee detail and Exhibit "B," the geographic area of said additional services.

JMG/RM/TH/RS/jch

T:\AGENDA\2004\Feb2504\Consent\Norm Isle Amend No 2 MEMO.doc

EXHIBIT "A"

SCOPE OF SERVICES CITY OF MIAMI BEACH RIGHT OF WAY INFRASTRUCTURE PROGRAM NEIGHBORHOOD No. 4 – NORMANDY ISLES

STREET LIGHTING IMPROVEMENTS ADDITIONAL DESIGN SERVICES TASK 5.2 REDESIGN SERVICES FOR REVIEWED LIGHTING SYSTEM IN NORMANDIE SUD

December 9, 2003

This Scope of Work consists of design services for completion of street lighting improvements only within the project area. The project area is defined as Normandy Isle, south of Normandy Waterway. This scope of work includes the following services.

Task 5.2.1 – Revised Design Criteria for Lighting System

CDM will redesign the lighting system from the current 1.0 ft. - candle intensity to the new Public Works Department Standard of 0.6 ft. candle. CDM shall develop revised pole spacing requirements to meet the new lighting standard of 0.6 ft.-candles throughout the Normandie Sud-neighborhood.

Task 5.2.2 – Revise Contract Documents for 90% Submittal

CDM shall revise applicable electrical drawings (sheets E-1 through E-25) to indicate the new light pole spacing criteria. Specifications and electrical drawings will also be revised as required. CDM shall utilize City Standard details as provided by TT-WHS.

Task 5.2.3 – Revise Cost Opinion

CDM shall revise the current 60% design completion cost estimate to reflect the new lighting standard of 0.6 ft. – candle and additional street lighting improvements for street ends included in Task 5.2.1 above.

TIME OF COMPLETION

Deliverables will be submitted in accordance with the schedule outlined in the agreement between the City of Miami Beach and TT-WHS.

RFP For CDRM No. 1 Revisions
Fee Worksheet - Curtis Rogers

TASK NO.	TASK DESCRIPTION	PROJECT DIRECTOR	PROJECT MANAGER	SR. ENGINEER / ARCHITECT	ENGINEER / ARCHITECT	DESIGNER	DRAFTER	CLERICAL	TOTAL HOURS	TOTAL COST
5.1	PLANNING EFFORT FOR CDRM NO. 1 REQUESTED REVISIONS									
5.1.1	REVIEW AND EVALUATE RESIDENT REQUESTED ITEMS	0	0	8	0	16	0	0	24	\$2,082
5.1.2	IDENTIFY LEVEL OF TOTAL REVISED IMPROVEMENTS THAT CAN BE SUPPORTED BY CURRENT FUNDING	0	0	16	0	16	0	0	32	\$2,943
5.1.3	PREPARE DRAFT REPORT	0	0	12	0	12	0	0	24	\$2,207
5.1.4	REVIEW DRAFT REPORT WITH APPLICABLE CIP OFFICE STAFF	0	0	8	0	0	0	0	8	\$861
5.1.5	PREPARE FINAL REPORT	0	0	8	0	16	0	0	24	\$2,082
5.2	REDESIGN SERVICES FOR REVISED LIGHTING SYSTEM IN NORMANDIE SUD									
5.2.1	DEVELOP REVISED DESIGN CRITERIA FOR LIGHTING SYSTEM	0	0	0	0	0	0	0	0	\$0
5.2.2	REVISE CONTRACT DOCUMENTS FOR 90% SUBMITTAL	0	0	0	0	0	0	0	0	\$0
5.2.3	REVISE COST OPINION	0	0	0	0	0	0	0	0	\$0
	TOTAL HOURS	0	0	52	0	60	0	0	112	
	TOTAL SERVICES FEE ESTIMATE	\$151.55	\$125.42	\$107.65	\$90.93	\$76.30	\$54.35	\$41.81		\$10,176
	Hourly Rates									

City of Miami Beach
Right of Way Infrastructure Program
Subconsultant's Compensation Fee Schedule - CDM
Neighborhood No. 4 - Normandy Isle Street Lighting
November 26, 2003

TASK DESCRIPTION	Sr. Engineer/ Architect	Engineer/ Architect	Designer	Drafter	Clerical	Total Hours	Total Cost
TASK 5 ADDITIONAL DESIGN SERVICES	Labor Rate \$107.65	\$90.93	\$76.30	\$54.35	\$41.81		
5.1 Revise Design Criteria for Lighting System	16	32	8	8	12	76	\$ 6,179
5.2 Revise Contract Documents for 90% Submittal	4	12	6	32	2	56	\$ 3,802
5.3 Revise Cost Opinion	4	12	0	0	0	16	\$ 1,522

Total Hours 24 56 14 40 14 148
Total Cost \$ 2,584 \$ 5,092 \$ 1,068 \$ 2,174 \$ 585 \$ 11,503

Other Direct Costs

\$ 500

TOTAL UPPER LIMIT FEE

\$ 12,003

City of Miami Beach
Right of Way Infrastructure Program
Fee Schedule - TT-WHS
Neighborhood No. 4 - RFP for CDRM No. 1 Revisions
December 16, 2003

TASK NO.	TASK DESCRIPTION	PROJECT DIRECTOR	PROJECT MANAGER	SR. ENGINEER/ ARCHITECT	ENGINEER/ ARCHITECT	DESIGNER	DRAFTER	CLERICAL	TOTAL HOURS	TOTAL COST
5.1	PLANNING EFFORT FOR CDRM NO. 1 REQUESTED REVISIONS									
5.1.1	REVIEW AND EVALUATE RESIDENT REQUESTED ITEMS	0	3	3	0	0	0	2	8	\$783
5.1.2	IDENTIFY LEVEL OF TOTAL REVISED IMPROVEMENTS THAT CAN BE SUPPORTED BY CURRENT FUNDING	0	3	3	0	0	0	0	6	\$699
5.1.3	PREPARE DRAFT REPORT	0	2	2	0	0	0	2	6	\$550
5.1.4	REVIEW DRAFT REPORT WITH APPLICABLE CIP OFFICE STAFF	1	4	4	0	0	0	0	9	\$1,084
5.1.5	PREPARE FINAL REPORT	1	2	2	0	0	0	2	7	\$701
5.2	REDESIGN SERVICES FOR REVISED LIGHTING SYSTEM IN NORMANDIE SUD									
5.2.1	DEVELOP REVISED DESIGN CRITERIA FOR LIGHTING SYSTEM	1	2	0	2	0	0	0	5	\$584
5.2.2	REVISE CONTRACT DOCUMENTS FOR 90% SUBMITTAL	0	2	4	16	0	16	0	38	\$3,006
5.2.3	REVISE COST OPINION	0	2	2	4	0	0	2	10	\$913
	TOTAL HOURS	3	20	20	22	0	16	8	89	\$8,321
	TOTAL HOURS FOR C&R	0	0	52	0	60	0	0	112	\$10,176
	TOTAL HOURS FOR CDM	0	0	24	56	14	40	14	148	\$11,503
	TOTAL FEE ESTIMATE	\$151.55	\$125.42	\$107.65	\$90.93	\$76.30	\$54.35	\$41.81		\$29,999.61
	Hourly Rates									

Memorandum

To: Javier Rodriguez - WHS
CC:
From: Aida Curtis
Date: 2/2/2004
Re: Normandy Isle and Normandie Sud- ROW Infrastructure Improvement Program- Additional Services

As requested by the City of Miami Beach and as a result of the Community Design Review Meeting No. 1 , we have prepared the following additional services request. This additional services request is based on the scope of services provided by Hazen and Sawyer, on Nov. 12, 2003. The enclosed spreadsheet covers the effort involved in the execution of Task 5.1 – Planning Effort for CDRM No.1 Requested Revisions.

We understand that upon completion of this effort, the City will determine what improvements/ revisions will be implemented and instruct the necessary changes to the construction drawings. This effort will be as part of the Task 5.1 and is not included in this proposal.

This proposal includes 2 review meetings with the City and Program Managers, but does not include any presentations to Commission or Community Workshops. These items should they be necessary will be in addition to the enclosed scope. In addition, no provisions have been made for reimbursables associated with this effort. We have included an allowance of \$500.00 for this task.

Please feel free to call me if you have additional questions.



1/09/2003/3:07 P.M. - 01 HLWD - H:\NMIAMIBEACH\NMBEACH\NEWSTR14\R-14-MAP-EXH-A-NI.dwg - XREFS: - PS 1=1

RESOLUTION TO BE SUBMITTED

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution accepting the funding contribution from UNIDAD of Miami Beach, Inc., d/b/a MBHCC, the "Tenant", in the amount of \$150,135.28 for its share of the Tenant Improvements to the Second Floor space of the South Shore Community Center; and further appropriating said funds for the Project.

Issue:

Should the City accept the funding and proceed with the appropriation?

Item Summary/Recommendation:

Planning and design of the South Shore Community Center renovations has been on-going since FY1997. The originally contemplated project, which consisted of a total renovation of the facility, is significantly more expensive than the \$1.436 million that is currently available for construction (including contingency) of the Project. Therefore, in order to have the Project stay within the total funding amount of \$1.576 million, including soft costs, the Project parameters were adjusted to include only those common areas and facilities that are shared by all tenants. However, the option was left open for tenants to pay for their own improvements within their individual spaces. The first phase of the redefined space includes renovation of the HVAC system, renovation of the elevator, and tenant improvements on the Second Floor of the facility. The Second Floor tenant, UNIDAD, has agreed to fund their tenant improvements with the City performing the build-out. The City has contracted under the JOC Program to perform the Tenant Improvements to the Second Floor of the South Shore Community Center (the Project). The Tenant's total contribution of \$150,135.28, which the Tenant agreed to contribute to the City, is calculated as follows: \$128,483.28 for Project cost; \$12,848.33 for Tenant's share of the Project contingency; \$1,927.25 for JOC consultant coordination fee; and \$6,876.43 Project management fees. The Tenant is scheduled to be relocated by early August 2004. The Administration recommends approval of the resolution.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:		Amount	Account	Approved
<div style="border: 1px solid black; width: 50px; height: 50px; display: flex; align-items: center; justify-content: center;"> </div> Finance Dept.	1	\$150,135.28	Contribution for Tenant	
	2		Improvements from UNIDAD	
	3		Of Miami Beach, Inc. (the	
	4		Tenant)	
	5			
	Total	\$150,135.28		

City Clerk's Office Legislative Tracking:

M. Alexandra Rolandelli

Sign-Offs:

Department Director	Assistant City Manager	City Manager

AGENDA ITEM C7C

DATE 2-25-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE FUNDING CONTRIBUTION FROM UNIDAD OF MIAMI BEACH, INC., D/B/A MBHCC, (THE TENANT), IN THE AMOUNT OF \$150,135.28, FOR ITS SHARE OF THE TENANT IMPROVEMENTS TO THE SECOND FLOOR SPACE OF THE SOUTH SHORE COMMUNITY CENTER; AND FURTHER APPROPRIATING SAID FUNDS FOR THE PROJECT.

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

FUNDING

The City has contracted under the JOC Program to perform the Tenant Improvements to the Second Floor of the South Shore Community Center (the Project). The Tenant's total contribution of \$150,135.28, which the Tenant agreed to contribute to the City, is calculated as follows: \$128,483.28 for Project cost; \$12,848.33 for Tenant's share of the Project contingency; \$1,927.25 for JOC consultant coordination fee; and \$6,876.43 Project management fees.

ANALYSIS

Planning and design of the South Shore Community Center remodeling has been ongoing since July 16, 1997, when the City Commission authorized the execution of Agreements with several firms, including REG Architects, Inc. (REG), for professional Architectural and Engineering Services for the Parks Master Plan. The group of sites included in REG's Contract consisted mostly of the small neighborhood parks and the South Shore Community Center, with a then estimated construction budget of \$2.6 million, to be funded by the 1996, \$15 million, Miami Beach General Obligation Bonds for Parks.

REG's scope of work related to most of the parks has been completed as the construction activities have been completed. The South Shore Community Center Project has a different, more difficult and longer history. For many reasons, the Project did not reach a point in its progress where construction documents were completed, despite many years of effort. In addition, the schedule has been extended so much that the original concept for the facility, dated in 1999, and the tenant spaces, approved by the existing tenants at the time, are no longer feasible. Additionally, the existing plan exceeded the existing funding

for construction by over \$835,000. Hence, the City decided to reformulate the Project to bring it within the funded amount.

In June, 2003, the Administration finalized the changes to the original South Shore Community Center Project to bring the Project back within the funded amount. The first phase of the re-defined Project includes the renovation of the Second Floor for UNIDAD of Miami Beach, Inc., d/b/a MBHCC, (the Tenant).

In August 2003, the City's Property Management Division of the Public Works Department found problems with the operation of the HVAC system. Some of the four compressors of the chiller were failing and at least two of the compressors required immediate replacement; the condenser also needed to be replaced immediately. Due to the needed replacement of the parts, the HVAC system is now required to be upgraded to comply with existing codes, including the opening of new fresh air intakes to avoid the growth of mold, the installation of a new electronic controller to manage all air handling units from a central location, and the replacement of two air handling units, located at the Assembly Room, by a single upgraded unit.

On November 25, 2003, the City terminated its Agreement with REG for Convenience, to be effective after the completion of the deliverables by REG to close the Project. In the meantime, the CIP Office prepared a three-phase plan to undertake the remodeling of the Center under the existing available funding.

On December 1, 2003, a Project Status Report was presented to the General Obligation Bond Oversight Committee. As part of the presentation, it was noted that the 1996 Parks Bond Master Plan Construction estimate of \$921,000 had developed into a scope identified in the 1999 GO Bond Documents for renovation/reconstruction of the complete facility, including new landscaping, irrigation, building identification signage, and playground premises for a total estimated construction cost in excess of \$2 million. This estimated construction cost was reached after several re-submittals and removal of scope, including flood proofing requirements, installation of a partial sprinkler system, and deletion of the improvements to the tenants' areas. The current total funding available for the Project, including additional GO Bond and other funds, has become \$1.576 million, of which \$1.436 million (including contingency) is allocated to Construction and the rest to soft costs.

Because the available construction funding did not reach the revised estimated construction cost, added to the fact that the original concept for the facility was no longer feasible, the Administration decided to better extend the use of the available construction funding through a Three-Phase Plan. Under the new Proposed Three-Phase Plan, the partial documents prepared by REG are to be used as a Master Plan for the Job Order Contracting (JOC) Program, to develop the improvement scope. The JOC Contractor would develop design/estimates for Tenant, mechanical, roofing, windows, fire alarm, ADA accessibility and electrical improvements for the available construction funding. As part of this Plan, the prospective tenants would contribute to fund their share of the proposed tenant improvements of their respective premises.

The Three-Phase Plan consists of the following:

- Phase I – Second Floor Improvements: Upgrades required by current building codes, including elevator improvements, fire alarm system improvements, window system upgrading, roofing replacement, fire code, ADA compliance improvements, bathroom upgrades, insulating of the Second Floor, and repairs to the HVAC system. Tenant Improvements to be paid by the prospective tenants.
- Phase II – First Floor Improvements: Upgrades required by current building codes, including fire alarm system improvements, window system upgrading, fire code, ADA compliance improvements, bathroom upgrades, insulating of the First Floor, and repairs to the HVAC system. Tenant Improvements to be paid by the prospective tenants.
- Phase III – Exterior Improvements: Painting and upgrades required by current building codes including fencing, landscaping, drainage, paving, playground. The extent of the scope is subject to available funding.

In order to implement the Three-Phase, the City held several meetings with the Tenant until a final floor plan layout and corresponding budget for the Tenant's premises on the Second Floor was approved by the Tenant on January 5, 2004. The Tenant's Scope of Work includes the replacement of carpeting, general and task lighting over the future proposed cubicles, new phone and data wiring and outlets, new ceiling tile/grid system, the construction of a new kitchenette and a new secured filing area, a new conference room, and two secured independent office spaces, located on the building's enclosed balcony. The City's Scope of Work includes all related scope to prepare the premises to comply with existing building codes. As such, the City has already contracted with a JOC contractor to upgrade the existing elevator and the HVAC system, including repairs/replacement to air handling units, a new chiller, and condenser. The City's Scope of Work also includes the upgrades of the means of egress, the installation of a new fire alarm system, and remodeling of the existing bathrooms to comply with ADA accessibility. The City's total estimated costs associated with the Project exceed \$500,000, which is funded from the General Obligation Bond.

The Tenant Improvements, elevator upgrade and HVAC system renovation are scheduled to be completed by early August 2004.

JMG:PDW:RSM:TH:JEC/ar

T:\AGENDA\2004\Feb2504\Regular\SSCC Tenant Commission Memo.doc

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE FUNDING CONTRIBUTION FROM UNIDAD OF MIAMI BEACH, INC., D/B/A MBHCC, (THE TENANT), IN THE AMOUNT OF \$150,135.28, FOR ITS SHARE OF THE TENANT IMPROVEMENTS TO THE SECOND FLOOR SPACE OF THE SOUTH SHORE COMMUNITY CENTER; AND FURTHER APPROPRIATING SAID FUNDS FOR THE PROJECT.

WHEREAS, in June, 2003, the Administration finalized the changes to the original South Shore Community Center Project to bring the Project back within the funded amount; the first phase of the of the re-defined Project includes the renovation of the Second Floor for UNIDAD of Miami Beach, Inc., d/b/a MBHCC, (the Tenant); and

WHEREAS, the City has contracted under the JOC Program to perform the Tenant Improvements to the Second Floor of the South Shore Community Center (the Project); and

WHEREAS, the Tenant's total contribution of \$150,135.28, which the Tenant agreed to contribute to the City, is calculated as follows: \$128,483.28 for Project cost; \$12,848.33 for Tenant's share of the Project contingency; \$1,927.25 for JOC consultant coordination fee; and \$6,876.43 Project management fees; and

WHEREAS, the Administration decided to better extend the use of the available construction funding through a Three-Phase Plan, utilizing the partial documents prepared by REG Architects, Inc. as a Master Plan for the Job Order Contracting (JOC) Program, to develop the improvement scope; and

WHEREAS, the JOC Contractor would develop design/estimates for Tenant, mechanical, roofing, windows, fire alarm, ADA accessibility and electrical improvements for the available construction funding; and

WHEREAS, in order to implement the Three-Phase Plan and to respond to the rapid relocation of the Tenant, the City held several meetings with the Tenant until a final floor plan layout and corresponding budget for the Tenant's premises on the Second Floor was approved by the Tenant on January 5, 2004; and

WHEREAS, the Tenant's Scope of Work includes the replacement of carpeting, general and task lighting over the future proposed cubicles, new phone and data wiring and outlets, new ceiling tile/grid system, the construction of a new kitchenette and a new secured filing area, a new conference room, and two secured independent office spaces, located on the building's enclosed balcony; and

WHEREAS, the City's Scope of Work includes all related scope to prepare the premises to comply with existing building codes; as such, the City has already contracted with a JOC contractor to upgrade the existing elevator and the HVAC system, including repairs/replacement to air handling units, a new chiller, and condenser; and

WHEREAS, the City's Scope of Work also includes the upgrades of the means of egress, the installation of a new fire alarm system, and remodeling of the existing bathrooms to comply with ADA accessibility; and

WHEREAS, the City's total estimated costs associated with the Project exceed \$500,000, which is funded from the General Obligation Bond; and

WHEREAS, the Tenant Improvements, elevator upgrade, and HVAC system renovation are scheduled to be completed by early August 2004.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission herein accept the funding contribution from UNIDAD of Miami Beach, Inc., d/b/a MBHCC, (the Tenant), in the amount of \$150,135.28, for its share of the Tenant Improvements to the Second Floor space of the South Shore Community Center; and further appropriate said funds for the Project.

PASSED and ADOPTED this 25th day of February, 2004.

ATTEST:

CITY CLERK

MAYOR

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

 2-18-04
City Attorney Date

THIS PAGE INTENTIONALLY LEFT BLANK

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

Request to Reject all Proposals Received in Reference to Request for Qualifications (RFQ) 16-02/03 for the Services Needed to Complete the South Pointe Park Improvement Project.

Issue:

Shall the Commission reject RFQ proposals submitted for RFQ No. 16-02/03

Item Summary/Recommendation:

On November 13, 2002, the City Commission approved a Commission Memo authorizing the issuance of Request for Qualifications (RFQ) No. 16-02/03 for the Planning, Design, and Construction Administration Services needed to complete the South Pointe Park Improvement Project.

On January 27, 2003, the Office of the City Manager issued LTC No. 24-2003 which appointed the Evaluation Committee for this RFQ. The Committee convened on March 3, 2003 to evaluate proposals, and if needed, shortlist firms. Consensus from the Evaluation Committee was to shortlist the firms to 5 out of the 11 that submitted proposals.

At approximately the same time that the Committee met, the City began considering options for settling land use and zoning legal conflicts in South Pointe. Some of the options considered would involve the City receiving title to additional land adjacent to South Pointe Park. If the City did receive this land, it would be in the City's best interest to add the land to South Pointe Park and have the same firm that is chosen to design South Pointe Park Improvements to design improvements to the added land. For this reason, the City delayed the second meeting of the Selection Committee with the intent of completing the South Pointe legal settlement before selecting a design firm. It was the City's expectation that this settlement would be reached in several months. On March 14, 2003, all firms that submitted proposals were sent a letter informing them that the evaluation process for RFQ 16-01/02 had been postponed until further notice. Due to this indefinite postponement, on May 6, 2003 the City requested a 90 day extension of the RFQ validation from all proposers.

Efforts to complete the South Pointe settlement continued over the Summer and into the Fall of 2003, but no conclusion was reached. On October 12, 2003, the City requested an additional 90 day time extension of the RFQ, and all proposers agreed to extend the RFQ submittal for an additional 90 days.

At this time, the City has still not reached a settlement on the South Pointe land use and zoning conflicts. The City needs to resolve this issue before moving forward with the selection of an AE firm to design South Pointe Park Improvements. This resolution may take several more months or longer, and the firms that responded to the RFQ cannot hold their proposals valid indefinitely. Therefore, the Administration recommends that all RFQ proposals for RFQ 16-01/02 be rejected, and a new RFQ to be re-issued after the City has determined whether or not additional land will be added to South Pointe Park.

REJECT ALL RFQ PROPOSALS

Advisory Board Recommendation:

Financial Information:

Source of Funds:	Amount	Account	Approved
<input type="checkbox"/>	1		
<input type="checkbox"/>	2		
<input type="checkbox"/>			
<input type="checkbox"/>			
Finance Dept.			

City Clerk's Office Legislative Tracking:

Tim Hemstreet, CIP Director

Sign-Offs:

Department Director	Assistant City Manager	City Manager
GL <u>2</u> TH <u>AM</u>	RCM <u>[Signature]</u>	<u>[Signature]</u>

T:\AGENDA\2004\Feb2504\Consent\RFQ16rejectionSummary.doc

AGENDA ITEM C7D
DATE 2-25-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, REJECTING ALL PROPOSALS RECEIVED IN RESPONSE TO REQUEST FOR QUALIFICATIONS (RFQ) 16-02/03 FOR THE PLANNING, DESIGN, AND CONSTRUCTION ADMINISTRATION SERVICES NEEDED TO COMPLETE THE SOUTH POINTE PARK IMPROVEMENT PROJECT.**

ADMINISTRATION RECOMMENDATION:

Adopt the Resolution.

ANALYSIS:

On November 8, 1994, the citizens of the City of Miami Beach approved the issuance of \$15 million in general obligation bonds for park improvements (Parks Bond). Bermello, Ajamil and Partners, Inc. (B&A) prepared a Master Plan that addressed the needs of twenty (20) parks of various sizes, and improvements for the Boardwalk and bikeways. The Mayor and City Commission adopted the Master Plan on June 19, 1996.

B&A completed substantial planning efforts but work on design and construction documents never began. At that specific time, City staff and B&A have agreed to terminate the firm's services in regard to South Pointe Park. This action was undertaken through a separate Commission resolution which also provides a detailed history of all the actions that have affected the work on this design contract and addresses substantial additional changes to the B&A contract.

Once B&A's services had been terminated for South Pointe Park, there was a need to issue a Request for Qualifications for Professional Services including architecture, landscape architecture, engineering, and construction administration services to complete the planning, construction design, and construction of improvements to South Pointe Park. Approximately \$5.2 million is allocated for the project.

On November 13, 2002, the City Commission approved a Commission Memo authorizing the issuance of Request for Qualifications (RFQ) No. 16-02/03 for the Planning, Design, and Construction Administration Services needed to complete the South Pointe Park Improvement Project.

The RFQ was issued by the City's Procurement Division on December 12, 2002. The deadline for RFQ submittals was January 31, 2003, and 11 proposals were received from Consultants.

On January 27, 2003, the Office of the City Manager issued LTC No. 24-2003 which appointed the Evaluation Committee for this RFQ. The Committee convened on March 3, 2003 to evaluate proposals, and if needed, shortlist firms. Consensus from the Evaluation Committee was to shortlist the firms to 5 out of the 11 that submitted proposals.

At approximately the same time that the Committee met, the City began considering options for settling land use and zoning legal conflicts in South Pointe. Some of the options considered would involve the City receiving title to additional land adjacent to South Pointe Park. If the City did receive this land, it would be in the City's best interest to add the land to South Pointe Park and have the same firm that is chosen to design South Pointe Park Improvements to design improvements to the added land. For this reason, the City delayed the second meeting of the Selection Committee with the intent of completing the South Pointe legal settlement before selecting a design firm. It was the City's expectation that this settlement would be reached in several months. On March 14, 2003, all firms that submitted proposals were sent a letter informing them that the evaluation process for RFQ 16-01/02 had been postponed until further notice. Due to this indefinite postponement, on May 6, 2003 the City requested a 90 day extension of the RFQ validation from all proposers.

Efforts to complete the South Pointe settlement continued over the Summer and into the Fall of 2003, but no conclusion was reached. On October 12, 2003, the City requested an additional 90 day time extension of the RFQ, and all proposers agreed to extend the RFQ submittal for an additional 90 days.

CONCLUSION

At this time, the City has still not reached a settlement on the South Pointe land use and zoning conflicts. The City needs to resolve this issue before moving forward with the selection of an AE firm to design South Pointe Park Improvements. This resolution may take several more months or longer, and the firms that responded to the RFQ cannot hold their proposals valid indefinitely. Therefore, the Administration recommends that all RFQ proposals for RFQ 16-01/02 be rejected, and a new RFQ to be re-issued after the City has determined whether or not additional land will be added to South Pointe Park.

RESOLUTION TO BE SUBMITTED

THIS PAGE INTENTIONALLY LEFT BLANK

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**

**Condensed Title:**

A Resolution electing Commissioner Saul Gross as Vice-Mayor for a term commencing on March 1, 2004, and terminating on June 30, 2004, or on such date when a new vice-mayor is thereafter elected.

Issue:

Shall Commissioner Saul Gross be elected as Vice-Mayor?

Item Summary/Recommendation:

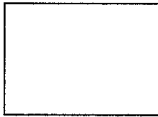
The City Commission established a policy of rotating the position of Vice-Mayor every four (4) months. Since 1994, the rotation has been by Commission Group number. Commissioner Saul Gross (Group II) is next in the rotation to serve as Vice-Mayor.

Advisory Board Recommendation:

N/A

Financial Information:**Amount to be expended:**

Source of
Funds:



Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Robert E. Parcher, City Clerk

Sign-Offs:

Department Director	Assistant City Manager	City Manager
<i>luf</i>		<i>Jan</i>

T:\AGENDA\2003\nov2503\consent\vice-mayor- SUM.doc

AGENDA ITEM C7E
DATE 2-25-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ELECTING COMMISSIONER SAUL GROSS AS VICE-MAYOR FOR A TERM COMMENCING ON MARCH 1, 2004, AND TERMINATING ON JUNE 30, 2004, OR ON SUCH DATE WHEN A NEW VICE-MAYOR IS THEREAFTER ELECTED.**

ANALYSIS

The City Commission has established a policy of rotating the position of Vice-Mayor every four (4) months. Since 1994, the rotation has been by Commission Group number. The next Vice-Mayor Group is Group II. The term for the next Vice-Mayor is March 1, 2004 through June 30, 2004. Commissioner Saul Gross (Group II) is next in the rotation to serve as Vice-Mayor.

JMG/REP

T:\AGENDA\2003\nov2503\consent\vice-mayor.doc

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ELECTING COMMISSIONER SAUL GROSS AS VICE-MAYOR FOR A TERM COMMENCING ON MARCH 1, 2004, AND TERMINATING ON JUNE 30, 2004, OR ON SUCH DATE WHEN A NEW VICE-MAYOR IS THEREAFTER ELECTED.

WHEREAS, the Mayor and City Commission established a policy of rotating the position of Vice-Mayor every four months; and

WHEREAS, for the term commencing on March 1, 2004, and terminating on June 30, 2004, the Mayor and City Commission herein elect Commissioner Saul Gross as Vice-Mayor.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that Commissioner Saul Gross is hereby elected as Vice-Mayor of the City of Miami Beach, Florida, for a term commencing on March 1, 2004, and terminating on June 30, 2004, or on such date when a new vice mayor is thereafter elected.

PASSED and ADOPTED THIS 25th day of February, 2004.

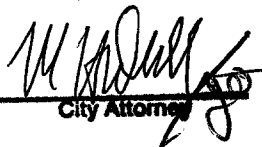
ATTEST:

CITY CLERK

Mayor David Dermer

T:\AGENDA\2003\nov2503\consent\vice-mayor - RES.doc

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

2-17-04

Date

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**

**Condensed Title:**

A Resolution of the Mayor and City Commission extending the professional services agreement with the firm of Jorden, Burt, Berenson, and Johnson, LLP (Jorden Burt) in the amount of \$90,000 for governmental and consulting services in Washington D.C.

Issue:

Shall the City extend the contract with Jorden Burt for federal lobbying services for the second of two (2), one-year extension options?


Item Summary/Recommendation:

The Administration recommends that the City Commission approve the resolution and extend the agreement.

Advisory Board Recommendation:

N/A

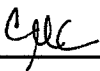

Financial Information:

Source of Funds:  Finance Dept.		Amount	Account	Approved
	1	\$90,000	Citywide	
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

Economic Development – Kevin Crowder

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

T:\AGENDA\2003\feb2603\regular\Jorden Burt Sum.doc

AGENDA ITEM C7F

DATE 2-25-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, EXTENDING THE PROFESSIONAL SERVICES AGREEMENT FOR FEDERAL LEGISLATIVE SERVICES WITH THE FIRM OF JORDEN, BURT, BERENSON, AND JOHNSON LLP, IN THE TOTAL AMOUNT OF \$90,000, TO PROVIDE GOVERNMENTAL REPRESENTATION AND CONSULTING SERVICES IN WASHINGTON, DC ON AN ON-GOING BASIS FOR THE PERIOD FROM FEBRUARY 19, 2004, UNTIL FEBRUARY 18, 2005.**

ADMINISTRATION RECOMMENDATION

The Administration recommends that the City Commission approve the Resolution.

ANALYSIS

On December 20, 2000, the Mayor and City Commission approved Resolution No. 2000-24219, authorizing the Mayor and City Clerk to execute a professional services agreement with the firm of Jordan Burt, to provide governmental representation and consulting services in Washington D.C., in the amount of \$90,000, inclusive of expenses. The Professional Services Agreement was executed for an initial term of two (2) years, with two (2) additional one (1) year options to renew. On February 26, 2003, the Mayor and City Commission approved the renewal of the first of the two (2), one-year options. This proposed renewal represents the second of the two (2), one-year renewal options, in the amount of \$90,000, which has not increased and is the same annual rate as the first two years of the agreement as well as the first option year.

The Scope of Services in the Professional Services Agreement includes:

- Confer with the Mayor, City Commission, City Manager, City Attorney and other City personnel on all organizational planning and program activities which have a bearing on the ability of the City to make the best use of federal programs;
- Meet with the Mayor, City Commission, and City Manager or his designee(s) periodically at mutually agreed upon times;
- Maintain liaison with the City's Congressional delegation and assist with the delegation in any matter which the City determines to be in its best interest;

- Counsel with the City regarding appearances by City personnel before Congressional Committees and Federal Administrative agencies;
- Identify and notify the City in advance of opportunities such as grant opportunities and funding availability for transportation, community and economic development, environmental matters, beach renourishment, infrastructure improvement, hurricane recovery efforts, housing and urban development, homeless programs, intermodal programs and any other areas of interest to the City;
- Assist the City in the review of federal executive proposals, legislation under consideration, proposed and adopted administrative rules and regulations, and other federal developments for the purpose of advising the City of those items which may have a significant bearing on City policies, funding, and programs;
- Establish and maintain working relationships with the executive and legislative branches of the federal government that will enhance the City's position with respect to financial assistance applications, regulatory procedures, legislation, budget authorizations and appropriations, and other areas of interest to the City;
- Consult with the City regarding any proposed formula changes in the Community Development Block Grant or other major federal programs to determine their impact on the City, and take the necessary steps as mutually agreed upon to bring changes in the best interest of the City;
- Upon request of the City, assist the City in any matter related to the Executive Branch of the State of Florida;
- Represent the City at Washington, D.C. area conferences or meetings as requested;
- Conduct a semi-annual briefing to the City to provide the latest information on issues of interest to the City, and submit an annual report of accomplishments concerning the Consultant's responsibilities;
- Assist in implementing the City's federal legislative agenda.

CONCLUSION

The Administration is pleased with the performance of the consultant, and recommends extension of the professional services agreement for the second of two (2), one-year option periods pursuant to the same terms and conditions.

JMG/^{me}CMC/KC

T:\AGENDA\2004\Feb2504\Consent\Jorden Burt CM.doc

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, EXTENDING THE PROFESSIONAL SERVICES AGREEMENT FOR FEDERAL LEGISLATIVE SERVICES WITH THE FIRM OF JORDEN, BURT, BERENSON, AND JOHNSON LLP, IN THE TOTAL AMOUNT OF \$90,000, TO PROVIDE GOVERNMENTAL REPRESENTATION AND CONSULTING SERVICES IN WASHINGTON, D.C., ON AN ONGOING BASIS, FOR THE PERIOD FROM FEBRUARY 19, 2004, UNTIL FEBRUARY 18, 2005.

WHEREAS, on February 9, 2000, the City issued Request For Proposals Number 65-99/00, seeking proposals for Governmental Representation and Consulting Services in Washington, D.C.; and

WHEREAS, at its regular meeting on November 29, 2000, the Mayor and City Commission heard oral presentations from, and directed questions to the respondents; and

WHEREAS, at its regular meeting on November 29, 2000, the Mayor and City Commission authorized the Administration to enter into negotiations with the second-ranked proposer, Jorden, Burt, Berenson and Johnson LLP; and

WHEREAS, at its regular meeting on December 20, 2000, the Mayor and City Commission authorized the Mayor and City Clerk to execute a Professional Services Agreement, in the amount of \$90,000, inclusive of expenses, with Jorden, Burt, Berenson and Johnson LLP; and

WHEREAS, the Agreement provides for two, one-year extensions; and

WHEREAS, on February 26, 2004, the Mayor and City Commission extended the Agreement for the first of two, one-year extensions, for the period of February 19, 2003 until February 18, 2004; and

WHEREAS, the City desires to extend the Agreement for the second of two, one-year extensions, for the period of February 19, 2004 until February 18, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission extend the Professional Services Agreement with the firm of Jorden, Burt, Berenson and Johnson LLP, in the total amount of \$90,000, for the period of February 19, 2004 until February 18, 2005, for governmental representation and consulting services in

Washington, D.C.

PASSED and **ADOPTED** this _____ day of _____, 2004.



Mayor

ATTEST:

City Clerk

T:\AGENDA\2003\FEB2603\REGULAR\FEDERAL PRIORITIES RESO.DOC

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

 2-18-04
City Attorney  Date

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A resolution waiving, by 5/7ths vote, the competitive bidding requirements, finding such waiver to be in the best interest of the City, and authorizing the Mayor and City Clerk to execute an agreement with Motorola, Inc., which will cover a (5) year period from March 1, 2004, through September 30, 2008, at an initial cost of \$84,875 for (7) months of maintenance fees for the Computer Aided Dispatch System (CAD); and year 2 at a cost of \$189,901 which will include (7) months of maintenance fees for the Fire Record Management System (FRMS) and Law Records Management System (LRMS) and a full year of Computer Aided Dispatch System (CAD); and maintenance costs for all three systems for year 3 are estimated at \$226,236 with years 4 and 5 not to exceed 3% increase per year.

Issue:

The HP Nonstop Series Hardware was first installed for use with the Motorola CAD System in July, 2001. The initial Motorola, Inc. warranty agreement for the HP Nonstop Series Hardware expires February 29, 2004.

Item Summary/Recommendation:

The Administration recommends approval and execution of the following Motorola, Inc. Maintenance and Support Agreement.

Advisory Board Recommendation:

N/A

Financial Information:

Amount to be expended:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1	\$84,875.00	Information Technology Contract Maintenance (Budget Account 550.0630.000325), FY2003-2004	
2			
3			
4			
Total	\$84,875.00		

Sign-Offs:

Department Director	Assistant City Manager	City Manager

T:\AGENDA\2004\Feb2504\Consent\Printrac summary3.doc

AGENDA ITEM

C76

DATE

2-25-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING REQUIREMENTS, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH MOTOROLA, INC., WHICH WILL COVER A (5) YEAR PERIOD FROM MARCH 1, 2004, THROUGH SEPTEMBER 30, 2008, AT AN INITIAL COST OF \$84,875 FOR (7) MONTHS OF MAINTENANCE FEES FOR THE COMPUTER AIDED DISPATCH SYSTEM (CAD) AND YEAR 2 AT A COST OF \$189,901 WHICH WILL INCLUDE (7) MONTHS OF MAINTENANCE FEES FOR THE FIRE RECORD MANAGEMENT SYSTEM (FRMS) AND LAW RECORDS MANAGEMENT SYSTEM (LRMS) AND A FULL YEAR OF COMPUTER AIDED DISPATCH SYSTEM (CAD); AND MAINTENANCE COSTS FOR ALL THREE SYSTEMS FOR YEAR 3 ARE ESTIMATED AT \$226,236 WITH YEARS 4 AND 5 NOT TO EXCEED 3% INCREASE PER YEAR.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

BUDGETED AMOUNT AND FUNDING

\$84,875 Funding is available from the Information Technology Contract Maintenance Account (Budget Account 550.0630.000325), for FY 2003-2004.

BACKGROUND

In March 1998, the City concluded negotiations with Motorola/Lucent Technologies to provide a Public Safety Computer Aided Dispatch (CAD), Police and Fire Records Management Systems (RMS) utilizing Palladium Software for a cost of \$1,400,000. The Palladium Software was installed for the Police and Fire CAD systems and the Police Records Management System. The Fire Records Management System was never installed.

After the systems were operational, the City experienced severe operational difficulties. In March, 2001 the City notified Motorola regarding its dissatisfaction with the newly installed systems.

At the same time, Motorola, Inc. was having considerable problems with the Palladium Software installed at other sites and have since severed their relationship with Lucent Technology who provided the Palladium System to the City.

Because of the City's dissatisfaction with the Palladium System, and the inability of the System to meet the full requirements of the contract, the City initiated negotiations with Motorola, Inc. to find a suitable replacement system. After an extensive review of alternative systems, by the Police, Fire and Information Technology Departments and after several site visits, it was determined that the Printrak International, Inc. CAD and Records Systems which had recently been selected by the City of New York Police Department (NYPD), met the specific needs of both the City's Police and Fire Departments.

In April, 2001, Motorola, Inc. agreed to replace the Palladium System with the Printrak International, Inc. System which they had acquired in November 2000, when Printrak International, Inc. became a wholly-owned subsidiary of Motorola, Inc. The Printrak International, Inc. System had a market price of approximately \$2,800,000. Due to the nature of the original contract with the Motorola, Inc., the City will be required to pay only the original contract price of \$1,400,000, a savings of \$1,400,000.

In September 2001, the City and Motorola, Inc. agreed upon the terms for the replacement and in November 2001, the new Printrak International, Inc. System was installed. Live operation of the CAD System for the Police and Fire Departments was undertaken on June 18, 2002, and it is currently being used successfully by the City to receive citizen 911 calls and dispatch all public safety personnel throughout the City.

ANALYSIS

The continued successful utilization of the Motorola, Inc. System requires on-going maintenance and support on a 24 hours a day, 7 days a week basis.

The Motorola, Inc., CAD System and the HP Nonstop Series Hardware that it runs on are highly integrated and interdependent in their operation. At this time, it is not practical to have the hardware and the software maintained by separate vendors. Therefore, it is imperative that the competitive bidding requirements be waived to allow for maintenance and support agreement to be obtained from Motorola, Inc., the sole source and proprietary provider of the CAD software. It will ensure that this vital and critical equipment associated with the Police and Fire public safety mission is protected.

The agreement with Motorola, Inc. (See Attachment I) will cover a five year period from March 1, 2004 through September 30, 2008, at an initial cost of \$84,875 for seven months of maintenance for the Computer Aided Dispatch System (CAD). Year 2, will cost \$189,901, which will include seven months of maintenance fees for the Fire Records Maintenance System (FRMS) and Law Records Maintenance System (LRMS) and a full year of maintenance for the CAD. Maintenance costs for all three systems for year 3 are estimated at \$226,236 with years 4 and 5 not to exceed a 3% increase per year.

First Year: \$84,875

- CAD (7) Months March 1, 2004 - September 30, 2004

Second Year \$189, 901

(Funding will be available annually from the Maintenance Fund for Information Technology (Budget Account 550.0630.325))

Product	Maintenance Term	Maintenance Fees
CAD Software	10/01/04-09/30/05	\$108,912
Hummingbird	10/01/04-09/30/05	\$3,367
LRMS	03/01/05-09/30/05	\$42,406
FRMS	03/01/05-09/30/05	\$1,988
Hewlett Parckard	10/01/04-09/30/05	\$33,228
Total		\$189,901

Three Subsequent Years \$ 226,236 yearly, plus 3% cost increase

(Funding will be available annually from the Maintenance Fund for Information Technology (Budget Account 550.0630.325))

- CAD, FMRS, LRMS Full Year Maintenance October 1, 2005 – September 30, 2006, 2007 and 2008.

Product	Maintenance Term	Maintenance Fees
CAD Software (3% CPI)	10/01/05-09/30/06	\$112,179
Hummingbird (3% CPI)	10/01/05-09/30/06	\$3,468
LRMS	10/01/05-09/30/06	\$72,696
FRMS	10/01/05-09/30/06	\$3,408
Hewlett Parckard	10/01/05-09/30/06	\$34,485
Total		\$226,236

JMG/MKR/ar

T:\AGENDA\2004\Feb2504\Consent\PrintrakCommMemo31.doc

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING REQUIREMENT, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH MOTOROLA, INC., IN THE AMOUNT OF \$84,875.00, FOR A SEVEN (7) MONTH PERIOD FROM MARCH 1, 2004, THROUGH SEPTEMBER 30, 2004, FOR MAINTENANCE OF THE COMPUTER AIDED DISPATCH SYSTEM (CAD); SAID AGREEMENT RENEWABLE FOR FOUR (4) ADDITIONAL ONE YEAR TERMS, AT A COST OF \$189,901.00 FOR THE FIRST OPTION YEAR (YEAR 2), WHICH WILL ALSO INCLUDE SEVEN (7) MONTHS OF MAINTENANCE FEES FOR THE FIRE RECORDS MAINTENANCE SYSTEM (FRMS) AND LAW RECORDS MAINTENANCE SYSTEM (LRMS); PROVIDED FURTHER THAT MAINTENANCE COSTS FOR ALL THREE SYSTEMS (CAD, FRMS, LRMS) FOR THE SECOND OPTION YEAR (YEAR 3) ARE ESTIMATED AT \$226,236.00, WITH SUBSEQUENT 3% PER YEAR INCREASES.

WHEREAS, the Mayor and City Commission authorized the Administration, on March 4, 1998, to issue a standing order to Motorola, Inc., to provide a new Public Safety Computer Aided Dispatch (CAD) and Records Management System (RMS); and

WHEREAS, the Police and Information Technology Departments determined in March, 2001, that the Palladium Software associated with the new System was not sufficient for the City's needs and that Motorola, Inc. would replace it; and

WHEREAS, in April 2001, Motorola, Inc. replaced the Palladium Software System with the Printrak International, Inc. System and thereafter implemented it on June 18, 2002; and

WHEREAS, the initial warranty period for the HP Nonstop Series Hardware on which the Printrak International, Inc. System runs will expire on February 29, 2004, and this is a critical component of the Police Public Safety System which requires 24 hour/7 days a week maintenance and support; and

WHEREAS, Motorola, Inc. is the sole proprietary provider of the CAD System, and is the sole source of proprietary information critical for the maintenance and support of the HP Nonstop Series Hardware used by the City's Police Public Safety System; and

WHEREAS, it is recommended that the Mayor and City Commission waive, by 5/7ths vote, the competitive bidding requirements, finding such waiver to be in the best interest of the City.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby waive, by 5/7ths vote, the competitive bidding requirement, finding such waiver to be in the best interest of the City, and authorize the Mayor and City Clerk to execute an Agreement with Motorola, Inc., in the amount of \$84,875.00, for a seven (7) month period from March 1, 2004, through September 30, 2004, for maintenance of the Computer Aided Dispatch System (CAD); said Agreement renewable for four (4) additional one year terms, at a cost of \$189,901.00 for the first option year (Year 2), which will also include seven (7) months of maintenance fees for the Fire Records Maintenance System (FRMS) and Law Records Maintenance System (LRMS); provided further that maintenance costs for all three systems (CAD, FRMS, LRMS) for the second option year (Year 3) are estimated at \$226,236.00, with subsequent 3% per year increases, all other terms and conditions of said Agreement to be approved by the City Attorney.

PASSED and ADOPTED this ____ day of February, 2004.

MAYOR

ATTEST:

CITY CLERK

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



(City Attorney) *BJA* 2-20-04
Date

THIS PAGE INTENTIONALLY LEFT BLANK

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A resolution authorizing the mayor and city clerk to execute a change order to the Communications System Agreement between Motorola, Inc. and the City Of Miami Beach, approved by the City Commission on April 30, 2003, in the amount of \$521,159, for a total Communications Systems Agreement of \$8,395,580, which will incorporate the following changes: deletion of the 75th Street reservoir tower and equipment, deletion and removal of the Fire Station 2 tower and equipment; adding antennas, shelters and equipment at the Parkview Point and the Council Towers buildings and making required changes to the microwave system.

Issue:

Shall the City Commission approve the execution of a Change Order to the Communications System Agreement with Motorola, Inc.


Item Summary/Recommendation:

The Administration recommends approval and execution of the following Change Order to the Communications Systems Agreement between Motorola Inc., and the City of Miami Beach, approved by the City Commission on April 30, 2003.

Advisory Board Recommendation:

N/A

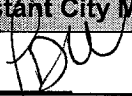
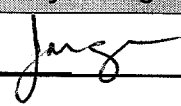
Financial Information:

Source of Funds:		Amount	Account	Approved
 Finance Dept.	1	\$266,073	Funding for equipment is available from the FY2002/2003 Bank of America Financing Lease (Budget Account 550.7000.210100).	
	2	\$255,086	Funding for shelter & services is available from the Machinery & Equipment Account (Budget Account 550.1750.000674)	
	Total	\$521,159		

City Clerk's Office Legislative Tracking:

Gus Lopez, ext. 6641

Sign-Offs:

Department Director	Assistant City Manager/CFO	City Manager
MKR	PDW 	JMG 

T:\AGENDA\2004\Feb2504\Consent\MotorolaChangeOrderSummary.doc

AGENDA ITEM C7H

DATE 2-25-04

CITY OF MIAMI BEACH


CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager 

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CHANGE ORDER TO THE COMMUNICATIONS SYSTEM AGREEMENT BETWEEN MOTOROLA, INC. AND THE CITY OF MIAMI BEACH, APPROVED BY THE CITY COMMISSION ON APRIL 30, 2003, IN THE AMOUNT OF \$521,159, FOR A TOTAL COMMUNICATIONS SYSTEMS AGREEMENT OF \$8,395,580, WHICH WILL INCORPORATE THE FOLLOWING CHANGES: DELETION OF THE 75TH STREET RESERVOIR TOWER AND EQUIPMENT, DELETION AND REMOVAL OF THE FIRE STATION 2 TOWER AND EQUIPMENT; ADDING ANTENNAS, SHELTERS AND EQUIPMENT AT THE PARKVIEW POINT AND THE COUNCIL TOWERS BUILDINGS AND MAKING REQUIRED CHANGES TO THE MICROWAVE SYSTEM.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

BUDGETED AMOUNT AND FUNDING

\$266,073 Funding for equipment is available from the FY2002/2003 Bank of America Financing Lease (Budget Account 550.7000.210100).

\$255,086 Funding for shelter & services is available from the Machinery & Equipment Account (Budget Account 550.1750.000674)

ANALYSIS

The City Commission passed a resolution on April 30, 2003, which authorized the Administration to execute a Communications System Agreement with Motorola, Inc., to replace the existing City of Miami Beach 800 MHz Analog Radio System by purchasing a new 800 MHz Trunked Digital Simulcast Public Safety Radio System.

During the preparation of system specifications, the City's radio system consultant, RCC Consultants, Inc, had recommended the construction of an additional radio tower in the north end of Miami Beach to provide improved radio coverage and which would replace the existing radio antenna site at La Gorce Palace 6301 Collins Ave. However, the

Administration was concerned about the construction of an additional tower and the resulting community impact. During contract negotiations the City Administration, requested that Motorola plan to replace the tower at Fire Station 2 and look for an additional antenna site to replace the proposed 75th Street Reservoir site. The selection of two new sites would entail extensive area surveys, engineering analysis of available space, equipment placement and microwave and radio coverage requirements. Therefore the contract was negotiated with the understanding that, when acceptable replacement sites were determined, the cost to locate new antennas along with the appropriate shelter structures for equipment would be added to the contract by change order and the cost to remove the Fire Station 2 tower and equipment and the cost of the proposed 75th Street tower would be deleted.

Antenna sites

RCC Consultants, Inc., along with the City, began looking for an appropriate site in both the north and south ends of Miami Beach that would accommodate rooftop placement of radio equipment and radio antennas. It was determined that for height, location, and shelter space, Parkview Point, located at 7441 Wayne Avenue, was the most suitable site that met the required criteria in the north end of the City. The original contract cost for the 75th Street tower site was \$1,319,184, and the proposed Parkview Point site is \$1,003,165, for a cost savings of \$ 316,019.

It was also determined that for height, location, and shelter space, the Council Tower North site, located at 1040 Collins Avenue, was the only suitable site that met the required criteria in the south end of the City. This transmit/receive and microwave location will replace an existing transmit/receive and microwave site located at Fire Station II, 2300 Pine Tree Drive. The cost in the contract for the Fire Station II upgrade was \$492,350. The construction and equipment cost for the Council Tower site is \$1,003,165 or an increase of \$510,815.

The construction of Council Tower site represents 37% of the total change order cost. When combined with the \$ 316,019, cost savings from Parkview Point the net increase cost for eliminating both towers including the equipment and structure and replacing them with less intrusive rooftop antennas is \$ 194,796.

Additionally, the Parkview Point and Council Tower site designs provide a new power back up system. The ACPowerpac is a seamless combination of UPS, battery bank, generator, and fuel tank all combined in one unit that installs outside on the ground level saving valuable building space and eliminating the extra weight on the roof top. The integrated system eliminates the majority of potential points of failure. It has a sophisticated control and communication system allowing the replacement of the UPS, emergency back-up generator, and automatic transfer switch with all related wiring into a single enclosure system that will provide two hours of UPS and 14 days of continue running time for the entire radio site including the air conditioning. The unit is designed to be quieter than many home air conditioners with heavy-duty sound insulation to benefit the neighboring residents. The cost in the original contract for the UPS/Generator was \$62,000. The ACPowerpac cost is \$ 80,000 or an increase of \$ 18,000 which is included in the cost of the redesign of each new site.

Removal of Fire Station 2 Tower and Equipment

The cost of Fire Station II radio tower and radio site equipment removal is \$115,042 which represents 22% of the total change order cost.

Microwave System

Fire Station 2 radio tower is the main hub for the existing Microwave system, which connect all other radio sites and the Public Safety Communication Unit to the radio system. The removal of the Fire Station 2 tower required the redesign of the entire Microwave network for the radio system. This new design will provide the City with greater reliability and stability for the new public safety radio system and will add redundancy that does not exist in the current system. The cost of the redesigned network is \$211,321, which represents 41% of the total change order cost.

Change Order Summary

<u>Service Task</u>	<u>Net Cost</u>	<u>Percentage</u>
Tower Replacement	\$194,796	37%
FSII Tower Removal	\$115,042	22%
Microwave Redesign	<u>\$211,321</u>	41%
Total	\$521,159	100%

JMG: PDW: MKR

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CHANGE ORDER TO THE COMMUNICATIONS SYSTEM AGREEMENT BETWEEN MOTOROLA, INC. AND THE CITY OF MIAMI BEACH, APPROVED BY THE CITY COMMISSION ON APRIL 30, 2003; SAID CHANGE ORDER, IN THE AMOUNT OF \$521,159, INCORPORATING THE FOLLOWING CHANGES: DELETION OF THE 75TH STREET RESERVOIR TOWER AS AN ANTENNA SITE AND THE EQUIPMENT THERETO; DELETION AND REMOVAL OF THE FIRE STATION NO. 2 TOWER AND EQUIPMENT; AND ADDING ANTENNAS, SHELTERS AND EQUIPMENT AT THE PARKVIEW POINT AND THE COUNCIL TOWERS BUILDINGS RESPECTFULLY; AND MAKING REQUIRED CHANGES TO THE MICROWAVE SYSTEM.

WHEREAS, at its regular meeting on April 30, 2003, the Mayor and City Commission authorized the Administration to execute a Communications System Agreement with Motorola, Inc. to replace the existing City 800 MHz Analog Radio System by purchasing a new 800 MHz Trunked Digital Simulcast Public Safety Radios System; and

WHEREAS, during contract negotiations with Motorola, the Administration requested that Motorola plan to replace the radio tower currently located at Fire Station No. 2, and also look for an alternative antenna tower site to replace a proposed site at the 75th Street Reservoir site; and

WHEREAS, the City has since identified appropriate sites in both north and south ends of the City that would accommodate rooftop placement of radio equipment and radio antennas, in lieu of the Fire Station No. 2 and 75th Street Reservoir site: they are, for the north, Parkview Point, located at 7441 Wayne Avenue, and, for the south, Council Tower North, located at 1040 Collins Ave; and

WHEREAS, the City has determined that a Change Order to the Communications System Agreement between Motorola Inc., and the City is necessary to effectuate the aforestated change in site (s); and

WHEREAS, the City has received a quotation from Motorola Inc., in the amount of \$521,159; and

WHEREAS, the Change Order will incorporate the tower and equipment, deletion and removal of the Fire Station No. 2 tower and equipment; adding antennas, shelters and equipment at the Parkview Point and the Council Towers Building and making required change to the Microwave system.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission herein approve and authorize a Change Order to the Communications System Agreement between Motorola Inc., and the City of Miami Beach, approved by the City Commission on April 30, 2003, in the amount of \$ 521,159, which will incorporate the following changes: deletion of the 75th Street Reservoir tower and equipment; deletion and removal of the Fire Station No. 2 tower and equipment; adding antennas, shelters and equipment at the Parkview Point and Council Tower buildings, respectively; and making required changes to the microwave system.


PASSED and ADOPTED this ____ day of February, 2004.

MAYOR


ATTEST:

CITY CLERK

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

 2-12-04

Date

THIS PAGE INTENTIONALLY LEFT BLANK

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

Approval of the declaration of a parking emergency caused as a result of the renovations to the Vistas Condominium Parking Garage, located at One Century Lane, from March 1, 2004 through November 30, 2004; allowing for the provision of a specified vacant lot, located at 1231-51 17th Street (Housing Authority Lot), as designated by the Administration; provided that the City shall further require parking operators to secure the appropriate insurance and occupational licenses required by the City Code to operate self-parking operations for the purposes set forth in this resolution.

Issue:

Whether to approve the declaration of a parking emergency from March 1, 2004 through November 30, 2004, due to the renovations to the Vistas Condominium Parking Garage, located at One Century Lane; allowing for the provision of a specified vacant lot, located at 1231-51 17th Street (Housing Authority Lot), as designated by the Administration; provided that the City shall further require parking operators to secure the appropriate insurance and occupational licenses required by the City Code to operate self parking operations for the purposes set forth in this resolution.

Item Summary/Recommendation:

During construction projects and various events and/or weekends throughout the year, severe parking demand leads to mobility problems and ultimately gridlock on our City's roadway system. This fact has been experienced during the Collins Avenue Reconstruction Project Phase I and II, the renovations to the Bayview Condominiums Parking Garage, located at 1345 Lincoln Road, Municipal Parking Lot 4C (Epicure Lot) Renovations, Boat Show, Memorial Day Weekend, Art Basel, and New Year's Eve. The creation of additional parking opportunities for visitors to the City during renovation projects and/or high impact events, coupled with an enhanced Electrowave circulator program (park-and-ride services) alleviates the mobility problems and gridlock anticipated during these renovations, events, and/or weekends.

The Administration recommends the adoption of the resolution.

Advisory Board Recommendation:

Endorsed by the Transportation and Parking Committee on Monday, February 2, 2004.

Financial Information:

Amount to be expended:

Source of Funds:



Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

Sign-Offs:

Department Director	Assistant City Manager	City Manager

T:\AGENDA\2003\apr3003\consent\lotemergepicurememorialday.sum.DOC

AGENDA ITEM

C7I

DATE

2-25-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE DECLARATION OF A PARKING EMERGENCY WITH RESPECT TO THE VISTAS CONDOMINIUM PARKING GARAGE RENOVATION, LOCATED AT ONE CENTURY LANE, FROM MARCH 1, 2004 THROUGH NOVEMBER 30, 2004 DUE TO ANTICIPATED INCREASED TRAFFIC AND PARKING DEMAND CAUSED AS A RESULT OF THE RENOVATIONS; ALLOWING FOR THE PROVISION OF THE VACANT LOT LOCATED AT 1231-1251 17TH STREET OWNED BY THE HOUSING AUTHORITY TO BE UTILIZED TO SATISFY SAID INCREASED DEMAND; PROVIDED THAT THE CITY SHALL FURTHER REQUIRE PARKING OPERATORS TO SECURE THE APPROPRIATE SECURITY, INSURANCE AND OCCUPATIONAL LICENSES REQUIRED BY THE CITY CODE TO OPERATE SELF-PARKING OPERATIONS FOR THE PURPOSES SET FORTH IN THIS RESOLUTION.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

BACKGROUND

The City of Miami Beach has experienced parking shortages during construction projects such as the Bayview Condominiums Parking Garage renovation, located at 1345 Lincoln Road, and major events such as the Collins Avenue Reconstruction Project Phase I and II, Municipal Parking Lot 4C (Epicure Lot), NFL Weekend 1999, the NMMA Boat Show, Graphics of the Americas, Art Basel, and Auto Show. There are various construction projects and annual or one-time special events scheduled on Miami Beach and the Administration has determined that there will be a severe parking shortage for a number of these projects/events.

ANALYSIS

The Vistas Condominiums, located at One Century Lane, is renovating their parking structure. The renovations will render the structure useless for parking between March 1, 2004 and November 30, 2004. The Administration deems that this constitutes the declaration of a parking emergency in order to temporarily provide additional parking in a vacant parking lot in the area. This will alleviate the demand for parking. The Vistas Condominium residents will use a portion of the Venetian Causeway for on-street parking.

The City's Public Works, CIP, and Parking Departments are currently processing a permit with Miami-Dade County Public Works Department to temporarily re-stripe the roadway in order to allow for a temporary on-street residential parking permit program during the aforementioned specified dates; however, this temporary solution will only provide 17 on-street parking spaces and the Vistas Condominium residents will be in need of approximately 40-50 spaces prompting the need for this action.

CONCLUSION

The Mayor and City Commission should approve the declaration of a parking emergency during the renovation of the Vistas Condominium Parking Garage from March 1, 2004 through November 30, 2004. The Administration further requests that the Mayor and City Commission authorize the City Manager to require parking operators to secure the appropriate insurance and occupational licenses required by the City Code to operate self-parking and/or valet parking operations for this purpose.

JMG/CMC/SF

T:\AGENDA\2003\jul\3003\CONSENT\LOTEMERGVistascondo.CME.doc

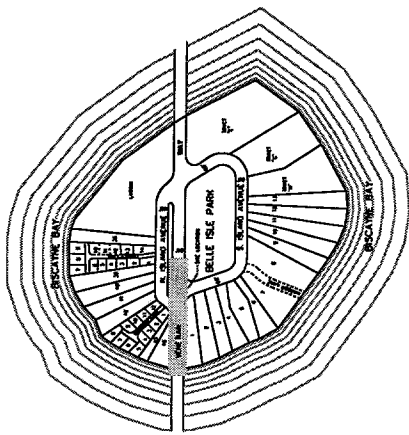
[illegible]

I HEREBY CERTIFY that this SURVEY FOR SPECIFIC PURPOSE is correct and meets the minimum Technical Standards for Land Surveying in the State of Florida as set forth in Chapter 422.007 F.S. and Chapter 8107-6 of the Florida Administrative Code. I have signed and submit the signature and seal of a Florida Licensed Surveyor and Mapper.

J. A. VARGAS
CITY SURVEYOR
P.O. Box 2018
STATE OF FLORIDA

FIELD WORK
3/6/01
DATE

[illegible]



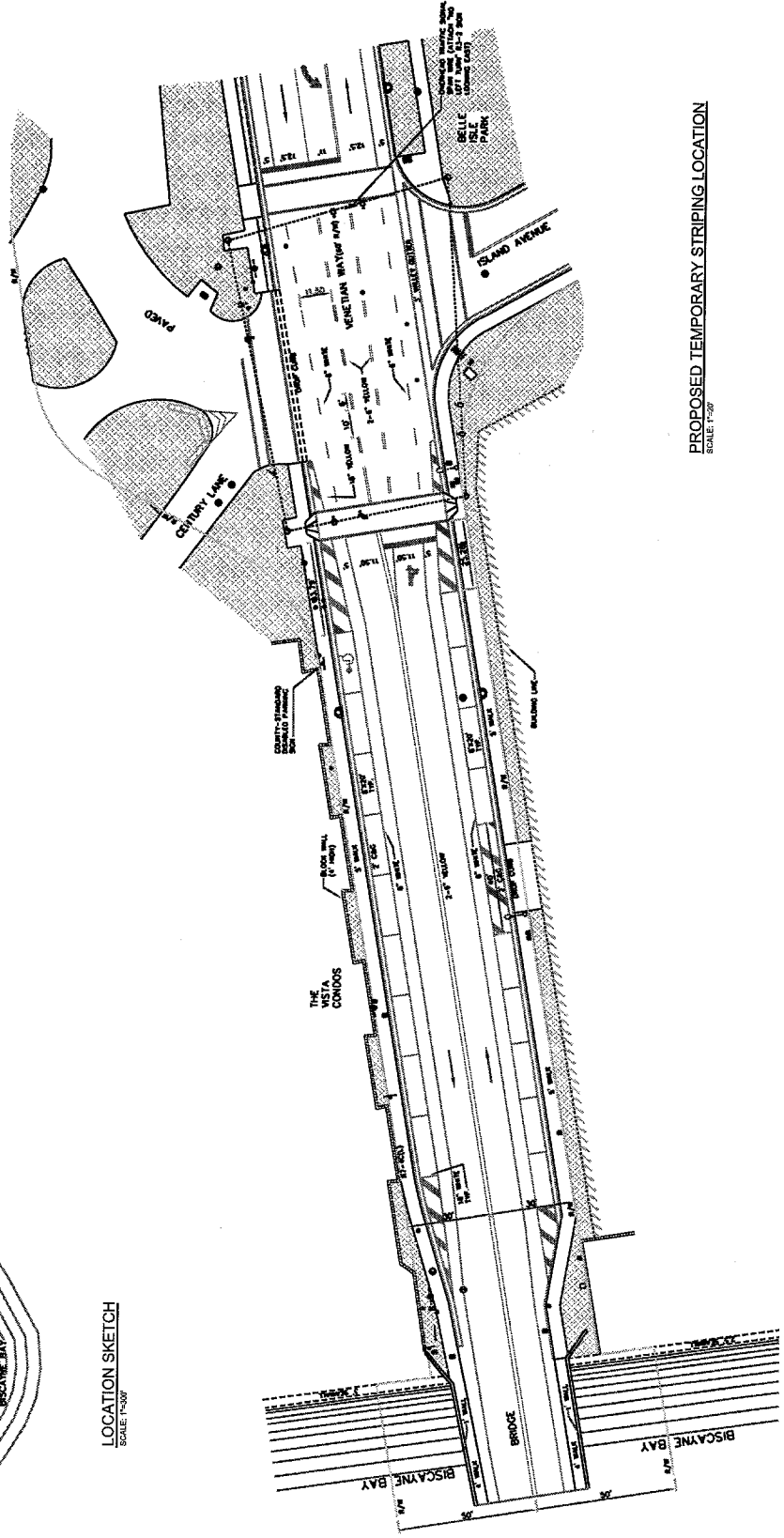
LOCATION SKETCH
SCALE 1"=500'

NOTE:
1) PROPOSED STRIPING IS TO ACCOMMODATE 18 PARKING SPACES FOR REMAINS
DUE TO A BEACH RECONSTRUCTION PROJECT.
2) AFTER RECONSTRUCTION PROJECT IS COMPLETED, CITY OF MIAMI BEACH WILL
RECONSTRUCT/REPAIR THE ROAD WITH NEW STRIPING AS IT CURRENTLY
DISCLOSED AND APPROVED BY:

APPROVED BY:
CITY OF MIAMI BEACH
CITY ENGINEER

SYMBOLS

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
1	18" x 36" CONC. BARR. TYPE "A"	1	18" x 36" CONC. BARR. TYPE "A"
2	18" x 36" CONC. BARR. TYPE "B"	2	18" x 36" CONC. BARR. TYPE "B"
3	18" x 36" CONC. BARR. TYPE "C"	3	18" x 36" CONC. BARR. TYPE "C"
4	18" x 36" CONC. BARR. TYPE "D"	4	18" x 36" CONC. BARR. TYPE "D"
5	18" x 36" CONC. BARR. TYPE "E"	5	18" x 36" CONC. BARR. TYPE "E"
6	18" x 36" CONC. BARR. TYPE "F"	6	18" x 36" CONC. BARR. TYPE "F"
7	18" x 36" CONC. BARR. TYPE "G"	7	18" x 36" CONC. BARR. TYPE "G"
8	18" x 36" CONC. BARR. TYPE "H"	8	18" x 36" CONC. BARR. TYPE "H"
9	18" x 36" CONC. BARR. TYPE "I"	9	18" x 36" CONC. BARR. TYPE "I"
10	18" x 36" CONC. BARR. TYPE "J"	10	18" x 36" CONC. BARR. TYPE "J"
11	18" x 36" CONC. BARR. TYPE "K"	11	18" x 36" CONC. BARR. TYPE "K"
12	18" x 36" CONC. BARR. TYPE "L"	12	18" x 36" CONC. BARR. TYPE "L"
13	18" x 36" CONC. BARR. TYPE "M"	13	18" x 36" CONC. BARR. TYPE "M"
14	18" x 36" CONC. BARR. TYPE "N"	14	18" x 36" CONC. BARR. TYPE "N"
15	18" x 36" CONC. BARR. TYPE "O"	15	18" x 36" CONC. BARR. TYPE "O"
16	18" x 36" CONC. BARR. TYPE "P"	16	18" x 36" CONC. BARR. TYPE "P"
17	18" x 36" CONC. BARR. TYPE "Q"	17	18" x 36" CONC. BARR. TYPE "Q"
18	18" x 36" CONC. BARR. TYPE "R"	18	18" x 36" CONC. BARR. TYPE "R"
19	18" x 36" CONC. BARR. TYPE "S"	19	18" x 36" CONC. BARR. TYPE "S"
20	18" x 36" CONC. BARR. TYPE "T"	20	18" x 36" CONC. BARR. TYPE "T"
21	18" x 36" CONC. BARR. TYPE "U"	21	18" x 36" CONC. BARR. TYPE "U"
22	18" x 36" CONC. BARR. TYPE "V"	22	18" x 36" CONC. BARR. TYPE "V"
23	18" x 36" CONC. BARR. TYPE "W"	23	18" x 36" CONC. BARR. TYPE "W"
24	18" x 36" CONC. BARR. TYPE "X"	24	18" x 36" CONC. BARR. TYPE "X"
25	18" x 36" CONC. BARR. TYPE "Y"	25	18" x 36" CONC. BARR. TYPE "Y"
26	18" x 36" CONC. BARR. TYPE "Z"	26	18" x 36" CONC. BARR. TYPE "Z"



PROPOSED TEMPORARY STRIPING LOCATION
SCALE 1"=50'

	CITY OF MIAMI BEACH, FLORIDA PUBLIC WORKS DEPARTMENT THE COMMISSIONER OF PUBLIC WORKS	TITLE	PROPOSED TEMPORARY STRIPING VENETIAN WAY AND ISLAND AVENUE	CITY MANAGER DIRECTOR CITY ENGINEER	JORGE GONZALEZ FRED SCHMANN ARSHAD MOJIB	SURVEYOR DRAWN BY CHECKER SCALE	J.A. VARGAS LM J.A. SCHMANN	NO.	DATE	REVISION	APPROVED BY	DATE	Job Order	Field Book	Page	Job Order
		1														

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND DECLARING THE EXISTENCE OF A SHORT-TERM PARKING EMERGENCY CREATED AS A RESULT OF THE VISTAS CONDOMINIUM PARKING GARAGE RENOVATION, LOCATED AT ONE CENTURY LANE, FROM MARCH 1, 2004, THROUGH NOVEMBER 30, 2004, DUE TO ANTICIPATED INCREASED TRAFFIC AND PARKING DEMAND CAUSED AS A RESULT OF THE RENOVATION; ALLOWING FOR THE PROVISION OF THE VACANT LOT LOCATED AT 1231-1251 17TH STREET, OWNED BY THE HOUSING AUTHORITY, TO BE UTILIZED TO SATISFY SAID INCREASED DEMAND; PROVIDED THAT THE CITY SHALL FURTHER REQUIRE PARKING OPERATORS TO SECURE THE APPROPRIATE SECURITY, INSURANCE AND OCCUPATIONAL LICENSES REQUIRED BY THE CITY CODE TO OPERATE SELF-PARKING OPERATIONS FOR THE PURPOSES SET FORTH IN THIS RESOLUTION.

WHEREAS, the City has historically experienced parking shortages during construction projects such as the Bayview Condominiums renovations and major events such as the Collins Avenue Reconstruction Project Phase I and II and Municipal Parking Lot 4C (Epicure Lot); and

WHEREAS, during various periods throughout the year, severe parking demand has historically led to mobility problems and ultimately gridlock on our City's roadway system; and

WHEREAS, parking facility renovations, from time to time, also temporarily displace public and/or private parking and in certain highly trafficked areas, create a short term parking emergency similar to those experienced during special events and event weekends; and

WHEREAS, the Administration has found that allowing for the use of specified vacant surface parking lots for additional parking opportunities during renovation projects and/or high impact events, coupled with an enhanced Electrowave circulator program (park-and-ride) service, has alleviated the mobility problems and gridlock anticipated during these event weekends; and

WHEREAS, the Administration finds that such a temporary parking emergency may exist from March 1, 2004 through November 30, 2004, due to the renovation of the Vistas Condominium Parking Garage, located at One Century Lane, and would herein recommend that the Mayor and City Commission recognize such actions for the term set forth herein; and

WHEREAS, the Administration has identified a specified vacant surface lot, located at 1231-1251 17th Street (Housing Authority Lot), which is available for use

from March 1, 2004 through November 30, 2004, to alleviate anticipated traffic congestion and severe parking demand; and

WHEREAS, the Administration shall require parking operators and/or lot owner to secure the appropriate insurance and occupational licenses, as required by the City Code, to operate the referenced lot for self-parking and/or valet parking, for this purpose.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and Commission approve and declare the existence of short-term parking emergency created as a result of the Vistas Condominium Parking Garage renovation, located at One Century Lane, from March 1, 2004 through November 30, 2004, due to anticipated increased traffic congestion and parking demand caused as a result of the renovation; allowing for the provision of the vacant lot located at 1231-1251 17th Street, owned by the Housing Authority, to be utilized to satisfy said increased demand; provided that the City shall further require parking operators to secure the appropriate security, insurance and occupational licenses required by the City Code to operate self-parking operations for the purposes set forth in this resolution.


PASSED AND ADOPTED this _____ day of _____, 2004.

MAYOR

ATTEST:

CITY CLERK

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney 2-19-04
Date

JMG/CMC/SF
T:\AGENDA\2003\apr3003\consent\LOTEMERGvistascondo.RES.doc

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY



Condensed Title:

A Resolution to adopt and appropriate the Second Amendment to the Police Confiscation Trust Fund Budget for Fiscal Year 2003/04, in the amount of \$232,650 to be funded from the proceeds of Federal-Justice Confiscated Funds.

Issue:

Should the Second Amendment to the Police Confiscation Trust Fund Budget for Fiscal Year 2003/04 be adopted?

Item Summary/Recommendation:

The Chief of Police has reviewed and identified the needs for the appropriation and has established that the expenditures of forfeiture funds are in compliance with Section 932.7055, Florida State Statutes and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies.

The Administration recommends authorization to adopt and appropriate the Second Amendment to the Police Confiscation Trust Fund Budget for Fiscal Year 2003/04.

Advisory Board Recommendation:

N/A

Financial Information:

Amount to be expended:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1		Confiscation Funds:	
2	\$ 232,650	603.8000.351211 Federal funds	
3			
4			
Total	\$ 232,650		

Sign-Offs:

Department Director	Assistant City Manager	City Manager

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING AND APPROPRIATING THE SECOND AMENDMENT TO THE POLICE CONFISCATION TRUST FUND BUDGET FOR THE FISCAL YEAR 2003/04 IN THE AMOUNT OF \$232,650 TO BE FUNDED FROM THE PROCEEDS OF FEDERAL-JUSTICE CONFISCATED FUNDS.

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

Florida Statute 932.7055 provides for expenditures of forfeiture funds for law enforcement purposes.

The Miami Beach Chief of Police, Don De Lucca has reviewed and identified the need for the appropriation and has established that the expenditures of forfeiture funds are in compliance with Section 932.7055, Florida State Statutes, and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies. These forfeiture funds have been deposited in the Police Confiscation Trust Fund. The City has complied with all statutory procedures involved in the transaction of these funds.

The Administration requests authorization to adopt and appropriate the Second Amendment to the operating budget for the Police Confiscation Trust Fund for Fiscal Year 2003/04 in the amount of \$232,650 to be funded from Federal-Justice Funds to provide for the expenditures listed in Exhibit "A".

JMG/DB/ic

RESOLUTION No. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING AND APPROPRIATING THE SECOND AMENDMENT TO THE POLICE CONFISCATION TRUST FUND BUDGET FOR FISCAL YEAR 2003/04 IN THE AMOUNT OF \$232,650 TO BE FUNDED FROM THE PROCEEDS OF FEDERAL JUSTICE CONFISCATED FUNDS.

WHEREAS, Section 932.7055, Florida Statutes, addresses the purpose and procedures to be utilized for the appropriation and expenditures of the Police Confiscation Trust Fund; and

WHEREAS, the Chief of Police of the City of Miami Beach has determined that the need for appropriation and expenditures exist and the appropriation and expenditure of forfeiture funds is in compliance with Section 932.7055, Florida Statutes, and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies (see attached affidavit); and

WHEREAS, funds in the amount of \$232,650 are available in the Police Confiscation Trust Fund, and the current budget, increases and amended budget are as follows:

	CURRENT BUDGET	INCREASE	AMENDED BUDGET
STATE	\$ 115,260	\$ 0	\$ 115,260
FEDERAL	<u>477,672</u>	<u>232,650</u>	<u>710,322</u>
TOTAL	\$ 592,932	\$ 232,650	\$ 825,582.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby adopt the Second Amendment to the FY 2003/04 Police Confiscation Trust Fund Budget for the City of Miami Beach, in the amount of \$232,650, to be funded from the proceeds of Federal Justice Confiscation Funds as reflected in the attached Exhibit "A".

PASSED AND ADOPTED THIS _____ day of _____, 2004

Mayor

ATTEST BY:

City Clerk

FUNDING APPROVED BY:

Office of Management
& Budget

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

 2/13/04

City Attorney Date

EXHIBIT "A"

**MIAMI BEACH POLICE DEPARTMENT
CONFISCATION TRUST FUND
SECOND AMENDMENT
FISCAL YEAR 2003/04**

FEDERAL-JUSTICE FUNDS:

PURCHASE TEN (10), 2004 FORD CROWN VICTORIA POLICE PURSUIT VEHICLES AS A PART OF THE FOP CAR PROGRAM	\$	191,420
---	-----------	----------------

And other required items to outfit each vehicle for Police use such as:

Ten (10) Law Enforcement Supply packages	\$	36,500
---	-----------	---------------

Ten (10) RNI Fuel System	\$	2,280
---------------------------------	-----------	--------------

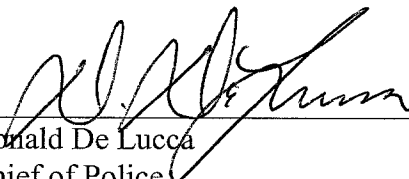
Ten (10) Tag & Title	\$	850
---------------------------------	-----------	------------

Ten (10) Graphic decals	\$	1,600
--------------------------------	-----------	--------------

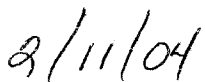
TOTAL FEDERAL-JUSTICE FUNDS	\$	232,650
------------------------------------	-----------	----------------

AFFIDAVIT

I, Donald De Lucca, Chief of Police, City of Miami Beach, do hereby certify that the aforementioned proposed request for expenditures from the City of Miami Beach Police Confiscation Trust Fund, for the 2003/04 fiscal year providing funds for expenditures as indicated on Exhibit "A", complies with the provisions of Section 932.7055(4)(a), Florida Statutes, and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies.



Donald De Lucca
Chief of Police
Miami Beach Police Department



Date

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution approving the sole source purchase of manifold assemblies needed for the City's large water meters from Sensus Metering Systems, in the estimated amount of \$45,000 and the sole source purchase of water meters and Automatic Meter Reading Systems Needed for the City's large meters and meter parts from Sensus Metering Systems, in the estimated annual amount of \$200,000.

Issue:

Shall the Commission approve the Resolution?

Item Summary/Recommendation:

The City's Public Works Metered Services Division utilizes manifold assemblies in their large water meter settings. These manifold assemblies allow continuous service during maintenance to these meter settings. These manifold assemblies prevent the need to completely shut down services to our larger business and/or residential customers.

Sensus is the sole manufacturer of manifold assemblies for their larger meters and eight-five percent (85%) to ninety percent (90%) of the City's larger water meters are supplied by Sensus.

The City also is making an effort to standardize one of our water meters. Approximately 75% of the City of Miami Beach's 12,400 water meters are currently Sensus. In the past, Public Works has had 5 different manufacturer's meters in their distribution system and had to stock repair parts for each brand (and size) because the parts are not interchangeable. Standardizing the manufacturer will reduce the need to keep repair kits for each individual manufacturer.

In the future, if the City of Miami Beach does convert to an automatic meter reading program (AMR), a standardized inventory of water meters will facilitate this endeavor as having a variety of brands in the ground can present additional problems. In addition, the meters that the City currently uses can be converted to an automatic meter by just replacing the existing register with an electric register rather than having to replace existing meters that are functioning properly. This would not only result in labor and material costs savings, but will also reduce water service interruptions for our customers.

The Administration recommends approving the Resolution.

Advisory Board Recommendation:

N/A

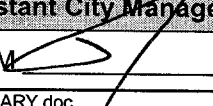
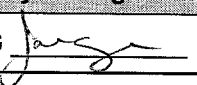
Financial Information:

Source of Funds:		Amount	Account	Approved
	1	\$45,000	191.4400.000481	
	2	\$200,000	191.4400.000481	
Finance Dept.	Total	\$245,000		

City Clerk's Office Legislative Tracking:

Gus Lopez, Ext. 6641

Sign-Offs:

Department Director	Assistant City Manager	City Manager
FB _____	RCM 	JMG 

T:\AGENDA\2004\Feb2504\Consent\Manifold Assemblies SUMMARY.doc

AGENDA ITEM C7K
DATE 2-25-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE SOLE SOURCE PURCHASE OF MANIFOLD ASSEMBLIES NEEDED FOR THE CITY'S LARGE WATER METERS FROM SENSUS METERING SYSTEMS, IN THE ESTIMATED AMOUNT OF \$45,000, AND THE SOLE SOURCE PURCHASE OF WATER METERS AND AUTOMATIC METER READING SYSTEMS NEEDED FOR THE CITY'S LARGE METERS AND METER PARTS FROM SENSUS METERING SYSTEMS, IN THE ESTIMATED ANNUAL AMOUNT OF \$200,000.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

BID AMOUNT AND FUNDING

\$45,000 Funding is available from the Public Works Department Account Number 191.4400.000481

\$200,000 Funding is available from the Public Works Department Account Number 191.4400.000481

ANALYSIS

The City's Public Works Metered Services Division utilizes manifold assemblies in their large water meter settings. These manifold assemblies allow continuous service during maintenance to these meter settings. These manifold assemblies prevent the need to completely shut down services to our larger businesses and/or residential customers.

Sensus is the sole manufacturer of manifold assemblies for their larger meters and eight-five percent (85%) to ninety percent (90%) of the City's larger water meters are supplied by Sensus (see attached sole source letter).

The City also is making an effort to standardize one of our water meters. Approximately 75% of the City of Miami Beach's 12,400 water meters are currently Sensus. In the past, Public Works has had 5 different manufacturer's meters in their distribution system and had to stock repair parts for each brand (and size) because the parts are not interchangeable. Standardizing the manufacturer will reduce the need to keep repair kits

for each individual manufacturer, and reduce the overall cost by an estimated \$34,700 annually.

In the future, if the City of Miami Beach does convert to an automatic meter reading program (AMR), a standardized inventory of water meters will facilitate this endeavor as having a variety of brands in the ground can present additional problems. In addition, the meters that the City currently uses can be converted to an automatic meter by just replacing the existing register with an electric register rather than having to replace existing meters that are functioning properly. This would not only result in labor and material costs savings, but will also prevent water service interruptions for our customers.

CONCLUSION

The Administration recommends that the Mayor and City Commission of the City of Miami Beach, Florida, adopt the attached resolution, herein approving the sole source purchase of manifold assemblies needed for the City's large water meters from Sensus Metering Systems, in the estimated amount of \$45,000, and approving the sole source purchase of water meters and automatic meter reading systems needed for the City's large meters and meter parts from Sensus Metering Systems, in the estimated annual amount of \$200,000.

T:\AGENDA\2004\Feb2504\Consent\Manifold Assemblies MEMO.doc



February 10, 2004

Ms. Marta Fernandez Rubio, Buyer
City of Miami Beach
451 Dade Boulevard
Miami Beach, Florida 33139

SUBJECT: SOLE SOURCE

Dear Ms. Rubio:

We are pleased to confirm that Sensus Metering Systems is the sole manufacturer of all our Water Meters, Automatic Meter Reading Systems, Manifold Assemblies for our large meters, and meter parts.

Please do not hesitate to contact Mr. Greg Panasuk at (770) 329-9024; or our office if you require further information. We hope to have the pleasure of serving your Utility with quality products, and superior customer service.

Sincerely,

INVENSYS METERING SYSTEMS

A handwritten signature in cursive script that reads "Fred L. Russell".

Fred L. Russell
Regional Manager

FLR/sm

Cc: Greg Panasuk

RESOLUTION TO BE SUBMITTED

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution of the Mayor and City Commission of the City of Miami Beach, Florida, Approving the Sole Source Purchase of American Darling Fire Hydrants from American Flow Control, in the Estimated Annual Amount of \$60,000.

Issue:

Shall the Commission Adopt the Resolution?

Item Summary/Recommendation:

The Public Works Department purchases replacement fire hydrants on an annual basis. The fire hydrants are replaced as needed following an annual inspection. The American Darling brand is the product chosen because of its lower maintenance cost and commonality with fire hydrants already in use. Approximately 50% of the fire hydrants in Miami Beach are the American Darling brand. At the current rate all fire hydrants will be replaced within the next six years.


The other brands of fire hydrant in use are Iowa, Kennedy, Waterless, U.S. Pie and Mueller. The repair parts are not interchangeable between the various brands. Miami-Dade County is also attempting to standardize by using the American Darling brand.

ADOPT THE RESOLUTION.

Advisory Board Recommendation:

N/A

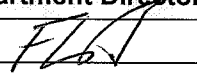
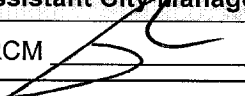
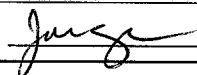
Financial Information:

Source of Funds:		Amount	Account	Approved
 Finance Dept.	1	\$ 60,000	191.4400.000481	
	2			
	3			
	4			
	Total	\$ 60,000		

City Clerk's Office Legislative Tracking:

Gus Lopez, Ext. 6641

Sign-Offs:

Department Director	Assistant City Manager	City Manager
FB 	RCM 	JMG 

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE SOLE SOURCE PURCHASE OF AMERICAN DARLING FIRE HYDRANTS FROM AMERICAN FLOW CONTROL, IN THE ESTIMATED ANNUAL AMOUNT OF \$60,000.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

BID AMOUNT AND FUNDING

Funding in the amount of \$60,000 is available from the Public Works Department Account Number 191.4400.000481

ANALYSIS

The Public Works Department purchases replacement fire hydrants on an annual basis. The fire hydrants are replaced as needed following an annual inspection. The American Darling brand is the product chosen because of its lower maintenance cost and commonality with fire hydrants already in use. Approximately 50% of the fire hydrants in Miami Beach are the American Darling brand. At the current rate all fire hydrants will be replaced within the next six years.

The other brands of fire hydrant in use are Iowa, Kennedy, Waterless, U.S. Pie and Mueller. The repair parts are not interchangeable between the various brands. Miami-Dade County is also attempting to standardize by using the American Darling brand. All of the hydrants considered are comparable in price. The advantage to the City comes from the parts and inventory standardization.

American Flow Control is the sole source of manufacture for the American Darling Fire Hydrant requested by Public Works Department. (See attached sole source letter)

CONCLUSION

The Administration recommends that the Mayor and City Commission of the City of Miami Beach, Florida, adopt the attached resolution, herein approving the sole source purchase of American Darling Fire Hydrants from American Flow Control, in the estimated annual amount of \$60,000.

**AMERICAN FLOW CONTROL**

American-Darling Valve and Waterous

A DIVISION OF AMERICAN CAST IRON PIPE COMPANY

RESILIENT SEATED VALVES
GATE VALVES
CHECK VALVES
TAPPING VALVES
TAPPING SLEEVES
INDICATOR POSTS
FIRE HYDRANTS

P. O. BOX 2727 • BIRMINGHAM, AL 35202-2727 • TEL: 205/325-7856 • FAX: 800/610-3589

January 9, 2004

Mr. Ron Helphand
City of Miami Beach
Public Works Dept.
451 Dade Blvd.
Miami Beach, FL 33139

Subject: American-Darling 5 1/4 B84B Hydrant


Dear Mr. Helphand,

This letter is in response to your request for certification that American Flow Control is the sole source of manufacture for the American-Darling 5 1/4" B84B Fire Hydrant. We are please to confirm that fact to you.

We have been furnishing the 5 1/4" B84B Fire Hydrant to the City of Miami Beach, FL since approximately 1995. This model is Factory Mutual approved and Underwriters Laboratories listed. It also comes with our 10-year warranty against defective materials and workmanship.

Thank you for your interest and continued use of our products and we look forward to serving you in the future. If we can be of further assistance, please contact us at your convenience.

Regards,


Joel Phillips
Customer Service Representative
American Flow Control

JP/jp

cc: George Clark - Orlando

RESOLUTION TO BE SUBMITTED

THIS PAGE INTENTIONALLY LEFT BLANK

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution appropriating funds in the amount of \$210,000 from the FY 04 General Fund Operating Contingency, and awards a contract to Sunryse Construction Services, Inc., pursuant to invitation to bid No. 07-03/04 for the glass block removal and window replacement at the Miami Beach Police Station in the amount of \$210,000.

Issue:

Shall the City Commission adopt the Resolution?

Item Summary/Recommendation:

The purpose of this Invitation to Bid No. 07-03/04 (the "Bid") is to establish a contract, by means of sealed bids for the glass block removal and window replacement at the Miami Beach Police Station. The work will consists of furnishing all labor, machinery, tools, means of transportation, supplies, equipment, materials, services necessary for the removal of the existing exterior glass blocks and replaced with an approved Dade County Impact Glass System product in accordance with the Scope of Work and Specifications/Drawings.

The Contract Documents specify that the work shall be substantially completed within ninety (90) calendar days, from the issuance of the second Notice to Proceed and finally completed within thirty (30) calendar days thereafter, for a total of one-hundred-twenty (120) calendar days. The Contractor will provide a Performance and Payment Bond, each in the amount of one hundred percent (100%) of the Contract Price.

The Administration recommends approving the Resolution.

Advisory Board Recommendation:

N/A

Financial Information:

<div>Source of Funds:</div> <div></div> <div>Finance Dept.</div>		Amount	Account	Approved
	1	\$210,000	FY 04 General Fund Operating Contingency	
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

Gus Lopez, ext. 6641

Sign-Offs:

Department Director	Assistant City Manager	City Manager
FB	RCM	JMG

T:\AGENDA\2004\Feb2504\Consent\GLASS BLOCK SUMMARY.doc

AGENDA ITEM C7M

DATE 2-25-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROPRIATING FUNDS IN THE AMOUNT OF \$210,000 FROM THE FY 04 GENERAL FUND OPERATING CONTINGENCY, AND AWARDED A CONTRACT TO SUNRYSE CONSTRUCTION SERVICES, INC., PURSUANT TO INVITATION TO BID NO. 07-03/04, GLASS BLOCK REMOVAL AND WINDOW REPLACEMENT AT THE MIAMI BEACH POLICE STATION IN THE AMOUNT OF \$155,000.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

FUNDING

\$210,000 FY 04 General Fund Operating Contingency

NOTE: The total estimated cost of \$210,000 is based on the base lump sum bid of \$155,000, plus \$55,000 that will be utilized for collateral work that needs to be accomplished in the Lobby, such as drywall work, finishing, and paint to repair the existing water damage from the previous leaks.

ANALYSIS

The purpose of this Invitation to Bid No. 07-03/04 (the "Bid") is to establish a contract, by means of sealed bids for the glass block removal and window replacement at the Miami Beach Police Station. The work will consist of furnishing all labor, machinery, tools, means of transportation, supplies, equipment, materials, services necessary for the removal of the existing exterior glass blocks and replaced with an approved Dade County Impact Glass System product in accordance with the Scope of Work and Specifications/Drawings.

The Contract Documents specify that the work shall be substantially completed within ninety (90) calendar days, from the issuance of the second Notice to Proceed and finally completed within thirty (30) calendar days thereafter, for a total of one-hundred-twenty (120) calendar days. The Contractor will provide a Performance and Payment Bond, each in the amount of one hundred percent (100%) of the Contract Price.

ANALYSIS

The Bid was issued on November 5, 2003, with an opening date of January 21, 2004. BidNet issued bid notices to twenty-five (25) prospective bidders, resulting in twenty (20) vendors requesting bid packages, which resulted in the receipt of eight responsive and two non-responsive bids.

References have been checked by the Procurement staff and Sunryse Construction Services, Inc. come highly recommended. Pursuant to the reference checks, the information provided indicates that this company provides quality work and completes all jobs within the required completion dates.

BID TABULATION

VENDOR	BASE BID	ALTERNATE #1
Sunryse Construction Services	\$155,000	\$135,000
Bi-Tech Construction	\$156,000	\$150,000
BMA Construction	\$159,335	\$180,000
Lambert Bros.	\$166,750	\$151,500
Development & Comm. Group	\$184,370	\$184,370
One Crow, Inc.	\$225,000	\$215,000
E.D.F.M Corp.	\$225,662	\$198,662
Spades Constructors, Inc.	\$247,500	\$237,500

Non-responsive bids: TJ Builders Corp (submitted Bid of \$195,000 for the Base Bid only)
Hurricane Window & Screen (submitted bid for materials only)

CONCLUSION

The Administration recommends that the Mayor and City Commission adopt the attached Resolution, which appropriates funds in the amount of \$210,000 from the FY 04 General Fund Operating Contingency, and awards a contract to **Sunryse Construction Services, Inc.**, pursuant to Bid No. 07-03/04, for the glass block removal and window replacement at the Miami Beach Police Station.

T:\AGENDA\2004\Feb2504\Consent\GLASS BLOCK MEMO

RESOLUTION TO BE SUBMITTED

THIS PAGE INTENTIONALLY LEFT BLANK

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution Setting the First Public Hearing, in accordance with the requirements of Sections 163.3220 - 163.3243, Florida Statutes, also referred to as the Florida Local Government Development Agreement Act, on Wednesday, March 17, 2004, to consider approving, on First Reading, a proposed Development Agreement between the City of Miami Beach and AR&J SOBE, LLC (a/k/a Potamkin/Berkowitz) for the development of the project, presently referred to as "5th and Alton", containing approximately 179,000 square feet of retail area and a supermarket and an approximate 943 space parking garage facility, including an intermodal/transportation component, an integrated parking garage, vertical transportation, ramps, ventilation, etc., and surrounding streetscape and public infrastructure to serve the project, bounded by Lenox Avenue on east, Alton Road on west, 6th Street on north and 5th Street on the south, in Miami Beach.

Issue:

Shall the Mayor and City Commission set the Public Hearing for the first Reading of a Development Agreement between City of Miami Beach and AR&J SOBE, LLC (a/k/a Potamkin/Berkowitz)?

Item Summary/Recommendation:

A Resolution setting the Public Hearing to approve the Development Agreement on First Reading on March 17, 2004 whereby the City will participate in a joint development opportunity to construct public parking within a mixed use project at the entryway to the City at 5th Street and Alton Road.

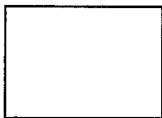
A Second Public Hearing will include the City Commission's consideration of the Declaration of Restrictions and Reciprocal Easement Agreement that will govern the parties and the operation and management of the public garage within the project.

Advisory Board Recommendation:

Finance & Citywide Projects Committee – December 22, 2003 - Referred to full Commission.

Transportation & Parking – February 2, 2004 -Will review further on March 1, 2004


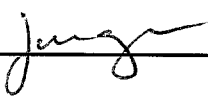
Financial Information:

Source of Funds:  Finance Dept.		Amount	Account	Approved
	1			
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

Christina M. Cuervo

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

T:\AGENDA\2004\Feb2504\Consent\IPotamkin.SUM.doc

AGENDA ITEM C7N

DATE 2-25-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 25, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING THE FIRST PUBLIC HEARING, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 163.3220 - 163.3243, FLORIDA STATUTES, ALSO REFERRED TO AS THE FLORIDA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT, ON WEDNESDAY, MARCH 17, 2004, TO CONSIDER APPROVING, ON FIRST READING, A PROPOSED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND AR&J SOBE, LLC (a/k/a POTAMKIN/BERKOWITZ) FOR THE DEVELOPMENT OF THE PROJECT, PRESENTLY REFERRED TO AS "5TH AND ALTON", CONTAINING APPROXIMATELY 179,000 SQUARE FEET OF RETAIL AREA AND A SUPERMARKET AND AN APPROXIMATE 943 SPACE PARKING GARAGE FACILITY, INCLUDING AN INTERMODAL/TRANSPORTATION COMPONENT, AN INTEGRATED PARKING GARAGE, VERTICAL TRANSPORTATION, RAMPS, VENTILATION, ETC., AND SURROUNDING STREETScape AND PUBLIC INFRASTRUCTURE TO SERVE THE PROJECT, BOUNDED BY LENOX AVENUE ON EAST, ALTON ROAD ON WEST, 6th STREET ON NORTH AND 5th STREET ON THE SOUTH, IN MIAMI BEACH.**

RECOMMENDATION

Adopt the Resolution

ANALYSIS

In July 2002, the Administration began meeting with representatives of the site generally located on 5th Street and Alton Road, owned by the Potamkin family, to review a preliminary site plan for a five (5) level mixed-use retail complex, including over 900 parking spaces. One of the proposed commercial uses for the project included a supermarket and, to that end, Publix issued a letter of intent to lease a ground floor area in the complex. In accordance with the City Commission's directive and the community's identified needs, the City's interest in the project development was primarily focused on achieving the public benefit of locating a supermarket, exploring transit and excess parking opportunities, and developing a gateway project at one of the City's main arterial entryway.

The proposed site contains approximately three (3) acres, and a vacation of the public alley would be required for the project to proceed. This project has been the subject of much discussion due to (1) its pivotal location at the entrance to Miami Beach from the MacArthur Causeway, (2) due to transportation/concurrency issues that will affect ingress/egress to the site, and (3) massing/height issues related to the project. To that end, the developer

has been working with the City's design review and planning staff in redesigning the project to be of the highest quality, commensurate with its prominent location.

On October 25, 2002, the Finance and Citywide Projects Committee discussed this proposal to determine the City's interest in the project. The Committee made a motion to authorize the Administration to move forward and fine tune negotiations with the project developers; exploring the following: the vacation of the public alley, determination of the relative value of said alley, the possibility of participating in the project as a partner in building and/or operating the garage portion of the development, and the availability of grants and other resources for funding construction of any city participation.

Over the past year, the City Administration has worked diligently with the project developers to negotiate terms that would serve in the mutual best interest of the parties. The attached term sheet reflects the terms negotiated by the parties and was presented to the Finance and Citywide Projects Committee on December 22, 2003. The Committee referred the item to the full Commission for action and the Committee's comments from that meeting are incorporated in the attached term sheet in bold and italics.

Concurrent with the negotiations, the Potamkin/Berkowitz group is appearing in front of the Planning Board to seek approval to implement a signage overlay district to permit effective signage for the Supermarket and for the retail tenants within the Project. Additionally, the project developers continue with their outreach initiative, scheduling meetings with various Citywide committees to present the proposed project schematics and to obtain community input. Since January 2004, the Developer has presented its plans before the Finance and Citywide Projects Committee and the Parking and Transportation Committee (another presentation is scheduled on 03/01/04); and are scheduled to go before the Tuesday Morning Breakfast Club and other committees.

While support for the Project is generally widespread, at both the Transportation and Parking and Finance and Citywide Projects Committee, the public raised some concerns on the economic viability of the parking operation and ingress/egress challenges to the site. The parties will continue to seek further community outreach with area businesses/residents.

Concurrent actions required to finalize a Development Agreement include negotiation of a:

- Declaration of Restrictions and Reciprocal Easement Agreement ("DR&REA") that will govern the parties and the operation and management of the public garage within the project.
- Final operating proforma for the operation and management of the garage within the project.
- Clarification of all Federal Transportation Administration (FTA) funding requirements and restrictions.

Subject to these conditions, the Administration recommends setting the Public Hearing to approve the Development Agreement on First Reading on March 17, 2004. The Second Public Hearing will include the City Commission's consideration of the DR&REA.

POTAMKIN - TERM SHEET

February 25, 2004

Incorporates comments based on Finance & Citywide Projects Committee Meeting of December 22, 2003

Owner(s):	City of Miami Beach ("City") and Potamkin/Berkowitz (Entity to be formed)
Developer:	AR&J SOBE, LLC (a/k/a Potamkin/Berkowitz or "P&B")
Developer A/E (Designers):	Robin Bosco with Todd Tragash
Developers Corporate Status:	TBD
Project Description:	<p>Subject to the approval of the appropriate Boards after public hearing, Developer shall construct the Project depicted on the Project Concept Plans attached hereto, which Project, shall contain approximately 179,000 square feet of Retail Area and Supermarket and an approximate 943 space Parking Garage Property, including an intermodal/transportation component (the scope of which is to be mutually agreed to by the parties), an integrated parking garage, vertical transportation, ramps, ventilation, etc., surrounding streetscape and public infrastructure to serve the facility.</p>
Development Site:	<p>Parcel bounded by Lenox Avenue on East, Alton Road on West, 6th Street on North and 5th Street on the South, Miami Beach, defined as "Development Site" and collectively includes: "Retail Area", "Supermarket", and "Garage Property".</p> <ul style="list-style-type: none">• "Retail Area" is defined as approximately 134,000 sf of retail/commercial area on the 1st, 3rd and 4th levels within the Project.• "Garage Property" is the parking garage facility containing approximately 503 parking spaces to serve the Public ("Public Spaces") and the Supermarket ("Supermarket Spaces") and approximately 440 parking spaces required to serve the Retail Area ("Retail Spaces") within the Project. The Garage Property consists of Public Spaces, Supermarket Spaces and Retail Spaces.• "Supermarket" is approximately 45,000 sf area on the ground level which will be opened as a supermarket, pursuant to a long term lease.

City Improvements:

P&B will convey a condominium or air rights interest so that title to an undivided 503 parking spaces (i.e. the Public Spaces and Supermarket Spaces), which spaces will be constructed in accordance with all Code requirements, (e.g. roadways), together with any public improvements, which will be owned by the City of Miami Beach.

P&B Improvements:

P&B will own the Retail Area, Supermarket and Retail Spaces, as well as the underlying land and all common areas (reciprocal access easements).

[Finance & Citywide Projects Committee asked if restrictions can be placed on retail tenants and/or quality of tenant mix]

Alley

In accordance with its procedures governing same, City will vacate and convey its title, free of any encumbrances or rights to possession by any party, to P&B to the alley containing approximately 7,800 sf within the Development Site to the Project to enable development of the Project within a contiguous parcel and as consideration for the public benefits described herein.

The deed shall contain a right of reverter, providing that the Alley shall be reconveyed to the City, if for any reason, the Project is not developed.

Neighboring Property:

15,000 sf vacant lot on Alton Road between 6th Street and 7th Street, at 633 Alton Road. City will have a purchase option for this parcel at \$1,000,000, or \$66.67/sf., which option shall be exercised, if at all, and the transaction closed within three years from the Date of Commission approval of the Development Agreement. Thereafter, the City shall have the option to purchase at the then market value and/or a right of first refusal to acquire the Neighboring Property. City's intent is to exercise option if transportation planning analysis warrants acquisition.

Pending development of the Neighboring Property by the City following is acquisition, if at all, the Parties may use said Property for overflow parking.

Legal Descriptions:

Actual legal description(s) for Retail Area, Garage Property (i.e. Public Spaces, Supermarket Spaces and Retail Spaces) and Supermarket, collectively the "Project", to be finalized upon completion of the improvements – "as built".

Project Cost/Responsibilities:

Retail Area and Supermarket
And Retail Parking Spaces:

P&B shall be contributing land and constructing improvements within the Project having a value of not less than \$32,000,000.

Public and Supermarket Parking
Spaces:

City will fund \$14,413/per parking space inclusive of soft costs (including but not limited to any Prevailing Wage Requirements and all site development costs, permit and concurrency fees, if applicable), or \$7,250,000, as a maximum contribution from City for City's 503 parking spaces. P&B will design and construct the entire garage. CMB shall own/operate the Public and Supermarket Parking spaces, which shall be operated as a public municipal garage together with the 440 Retail Spaces.

City Funding Sources:

P&B will comply with all requirements of funding sources provided by City for construction of the City Improvements, (i.e. 503 Public and Supermarket Spaces). P&B shall, if such requirements prove too onerous at P&B's sole discretion, have the right to terminate the sale of the Parking Spaces. ***[Finance & Citywide Projects Committee has problem with this previous statement. Issues must be resolved at onset]*** However, in consideration of the Public Benefits, including initial development of the Supermarket, the City shall convey the Alley to P&B.

Cost to City Capped:

Developer is responsible for cost overruns. Under no set of circumstances shall the City of Miami Beach be responsible for the disbursement of any sums in excess of \$7,250,000. 100% of the risk of cost overruns for construction and development of the parking garage, including the related vertical transportation, vehicular ramps, etc. shall be that of P&B. The cost to the City is fixed and capped.

Garage Property:

City to Manage and Operate
Garage:

The City of Miami Beach shall be responsible for managing and operating the Garage Property at City garage rates in accordance with a set of guidelines and standards to be mutually agreed upon in writing by the parties, but of a quality and consistency no less

than that which is utilized by the City of Miami Beach in operating and managing other garages owned or operated by it. P&B shall be responsible for providing security for the Project, including the Garage Property, janitorial, repair and maintenance services, all in accordance with a budget to be mutually agreed upon. P&B acknowledges that the City is self-insured. Notwithstanding that fact, the City shall contribute its pro rata share of the cost of Liability Insurance (minimum of \$5,000,000) and Defense coverage to cover P&B in connection with any claims, including attorneys fees, arising out of operation of the Garage.

Annual P&B Contribution:

P&B or its Tenants have proposed to contribute a minimum of \$290,000 annually toward the Garage/Security operating budget in consideration for Retail Area daily use upon a validated basis. **(The Parties have numerous details and issues left to resolve and to refine in connection with the operation and funding of the Garage.)**

Patron Parking:

In consideration of the annual contribution by P&B, an agreed upon quantity of parking will be assured for the employees and customers of Project's tenants, including the Supermarket, and they shall be permitted to park within the garage without incurring an additional fee on a permit or validated basis during store operating hours.

Garage Operating Budget:

In determining "Net Revenues", both parties shall agree on a reasonable operating budget for operating the Garage Property, which may include a reasonable management fee for operating the garage and for providing security, maintenance and janitorial service.

Owner(s) Fund Any Deficit:

The City and P&B, on a proportionate basis, shall guaranty against any operating loss and shall fund any operating (including repair/replacement costs) deficiencies for the Garage Property on an annual basis.

Division of profits:

The City and P&B shall share on a proportionate ownership basis in any net profit realized from the operation of the Garage Property.

Parking Requirements:

The Supermarket parking requirements will be satisfied within the Supermarket Spaces, herein defined, and City will provide the necessary mechanism to comply with any regulatory parking requirement for the Supermarket.

Project Construction:

Development Agreement Term: Not to exceed ___ years from commencement date, and may be mutually extended by parties. (Section ___ of Dev. Agrmt.) ***[Must discuss condo association or surviving entity to Dev. Agrmt that will govern the parties. Management and Operating Agreement for Parking.***

Per P&B, parties must address right to repurchase the Garage on equitable terms in the event of casualty or a substantial change in circumstances rendering the then existing use impractical or unfeasible.]

Concurrency/Traffic Analysis:

P&B will be obligated to perform a traffic analysis and mitigate and meet all concurrency requirements for the "Retail Area" and for the Supermarket, to the extent they apply.

[Finance & Citywide Projects Committee stated Traffic Analysis is required as part of Project]

Construction Staging:

Construction staging for the Project will be confined to the Development Site or Adjacent Property (which will be made available without charge for that purpose, even if the City has exercised its option and has acquired the Adjacent Property), thereby not impacting adjacent residential areas.

Performance Bond:

Prior to commencement of construction, P&B shall cause G.C. to furnish City with payment and performance bond (or a dual obligee rider with P&B's Lender) or Letter of Credit to provide a Completion Guarantee for the Project. (Section ___ of Dev. Agrmt.)

Underground Utilities:

Developer will relocate any underground utilities now existing on the Development site, if necessary, included in Developer's project costs. The City shall provide Right of Way or other utility easements to enable Developer to relocate any such underground utilities off site.

Construction/Permitting:

Commencement Date:	Execution Date of Agreement
Project Concept Plan:	Attached to Dev. Agreement as Exhibit
Preliminary Plans and Specs:	To be submitted within 6 months from Commencement Date for DRB/HP approval. (Section ___ of Development Agreement)
Plans and Specs:	To be submitted 9 months from final DRB/HP approval. (Section ___ of Development Agreement)
Building Permit:	18 months from DRB/HP approval but in any event no later than 3 years from Commencement Date
Possession Date:	Upon TCO
Construction Completion:	No later than 4 years from Commencement Date, subject to unavoidable delays. "Completion Deadline" as defined in Development Agreement.

Environmental Matters: P&B is responsible for any required environmental remediation within the Development Site.

Art in Public Places (AIPP): The City has advised that the proposed project constitutes a public joint development, and that the AIPP 1 ½% will apply to the Project construction cost (per proposed revisions to ordinance). Developer has advised the City that it intends to install a major piece of Art by Romero Britto at the entrance of the Project and that if the AIPP is not waived, it will render this transaction economically infeasible, Developer shall seek a waiver of the AIPP requirement from the City Commission, simultaneously with the approval of the Development Agreement. Per P&B, if the AIPP is not waived, P&B may terminate the City's right to purchase the parking spaces and to operate the Garage as a municipal lot.

Public Benefits:

Public Space in Project: P&B agrees to create a public intermodal/transportation component to the Project to serve the Public (the nature and scope of which shall be mutually agreed upon by the Parties).

Public Benefits: P&B commits to enter into a long term lease with and to construct an approximately 45,000 sf. Supermarket on site.

- City receives Public Benefits, including the following:
- Opportunity for City to address present and future parking deficiencies at a key "gateway" intersection at a fixed, competitive cost, without having to condemn land at a prohibitive price.
 - Addresses parking deficiencies identified in Alternatives Analysis in Parking Study.

- c. Supermarket will be secured as an anchor tenant based on a long term lease agreement (**see "Change in Use" below**).
- d. Potential to serve as a collector to alleviate traffic congestion before entering the Historic District.
- e. Project design/reduction in density.
- f. Redevelopment of environmentally contaminated Brownfield Site.
- g. Project preserves the historical character of the building located at the corner of 5th and Lenox. **[Finance & Citywide Projects Committee suggested a First Source Hiring Agreement with Miami Beach residents]**
- h. Creation of 600+ Jobs for the community.
- i. Public use of 100% of the parking spaces (approximately 943 spaces) during high traffic hours.

Other:

Real Estate Taxes:

Each party will be responsible for their respective portion in the event Ad Valorem taxes are assessed.

Change in Use:

If the Supermarket ceases to operate and to serve the public, an acceptable substitute use will be mutually agreed upon by the parties, failing which, at P&B's option, the Supermarket facility will automatically revert to City, for retail uses only, at the same rental rate and on the same terms and conditions which had been extended to the Supermarket pursuant to its Lease Agreement; or P&B shall have the option to acquire the Public Spaces and the Supermarket spaces at the then market value.

Prohibited Uses:

P&B shall in no way use the Project for any purpose/use that would impair status/integrity of this and other public funds initially used to construct improvements.

Mutual Cooperation:

Both parties will agree to cooperate fully in maximizing the Benefits to which the project may be entitled pursuant to the "Brownfield Recovery Act", the Enterprise Zone Designation, and/or any other State, Local or Federal program, including but not limited to the waiver of impact fees relating to the Supermarket and to the entire Garage. To the extent that such benefits are available only to a municipality or governmental entity (such as EDA grants or HUD grants for infrastructure or utility relocation), the City

agrees to make application and to diligently pursue maximizing the recovery of such available benefits on behalf of P&B. Any funds, which may be recovered from any Federal, State or County program by the City as for reimbursements or grants shall be remitted to P&B for use in constructing the Project. In addition, the City agrees to cooperate fully in presenting and, if approved, in implementing a signage overlay district to permit effective signage for the Supermarket and for the retail tenants within the Project.

Right of First Offer:

In the event that P&B wishes to market the Project for sale, P&B shall first offer the same to the City at a specified purchase price, on an all-cash basis, to close within 90 days. Thereafter, the City shall notify P&B whether it wishes to purchase the Project within 15 days after receipt of the offer, failing which P&B shall be free to sell the Property to any third party at a price equivalent to or more than that tendered to the City. ***[Finance & Citywide Projects Committee stated 15 days will not be sufficient]***

Miscellaneous Issues:

Developer has indicated the need to address Construction Loan lender issues, real estate tax issues, depreciation issues, liability issues and condemnation issues.

Requirements for Vacation of Alleys, Easements and City Rights-of-Way (submitted separately)

Regulatory Procedure for Conveyance of Alley:

The City of Miami Beach shall comply with Ordinance 92-2783 (aka Shapiro Ordinance) adopted by the City Commission on June 17, 1992, and codified in the City Code as Article II, entitled "Sale or Lease of Public Property", more specifically with Sections 82-37 through 82-39, which require the following:

- 1) Public Hearing.
Section 82-37 of the Miami Beach City Code requires that the City Commission hold a public hearing, advertised not less than 15 days prior to the hearing, in order to obtain citizen input into any proposed sale and/or lease.
- 2) Planning Department Analysis.
Section 82-38 of the Miami Beach City Code requires that the Planning Department prepare an analysis in order for the City Commission and the public to be fully apprised of all conditions relating to the proposed sale of the property.

3) Advertised Public Bidding Process and Appraisal.

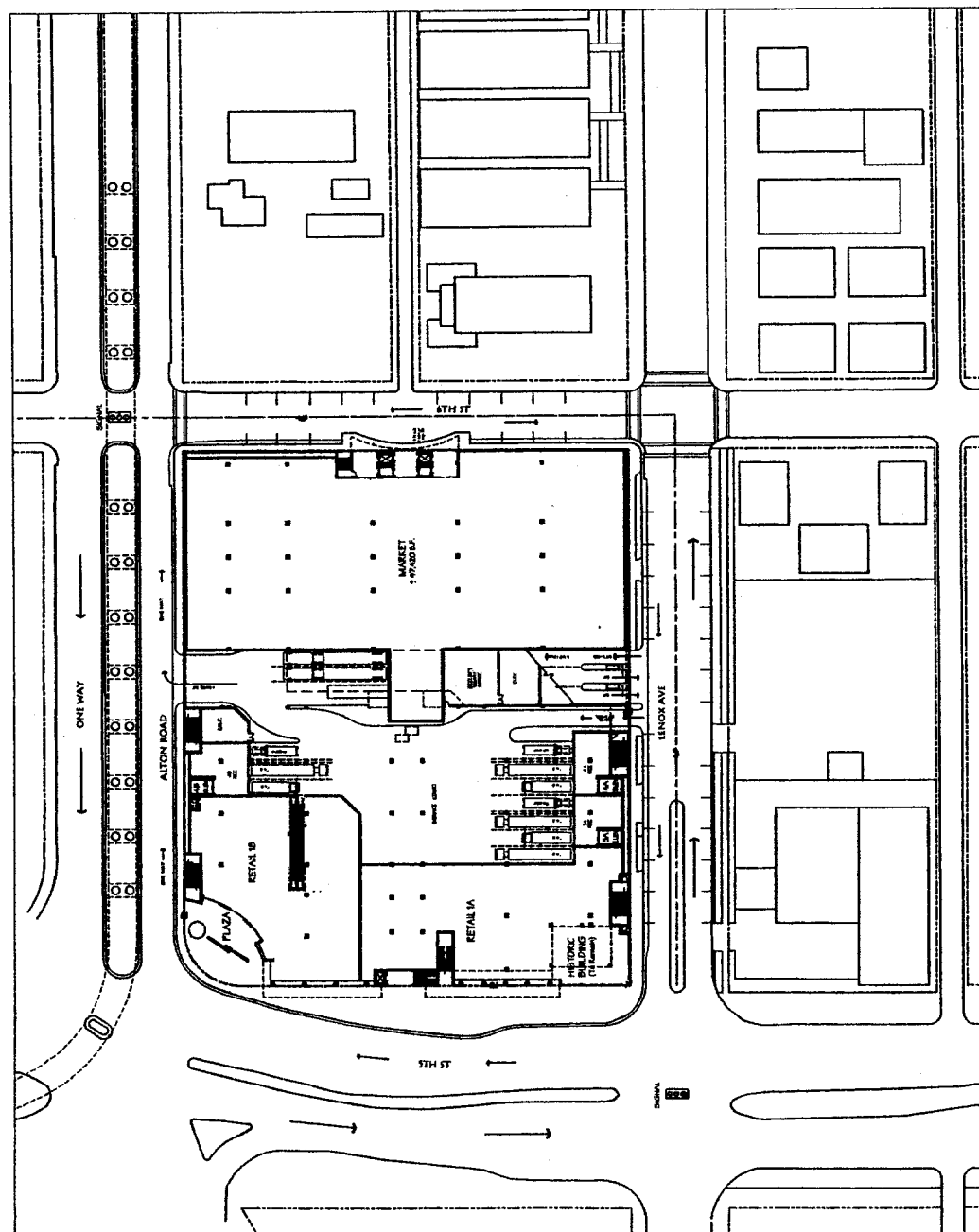
Section 82-39 states that there shall be no sale of City property unless there has been an advertised public bidding process and an independent appraisal of the fair market value of the property.

(Note: In regard to any sale of City property, the conditions of only this section may be waived upon a five-sevenths vote of the city commission upon a finding by the City Commission that the public interest would be served by waiving such conditions of bidding and/or appraisal for the disposition of the property.

T:\AGENDA\2004\Feb2504\Consent\Potamkin.ATT.doc

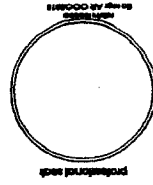


SITE PLAN
scale: 1"=40'





drawn title:
P.O. / REV-07/12
preliminary issue
09-11-09
partial issue
bid issue
correction issue
reviewers:



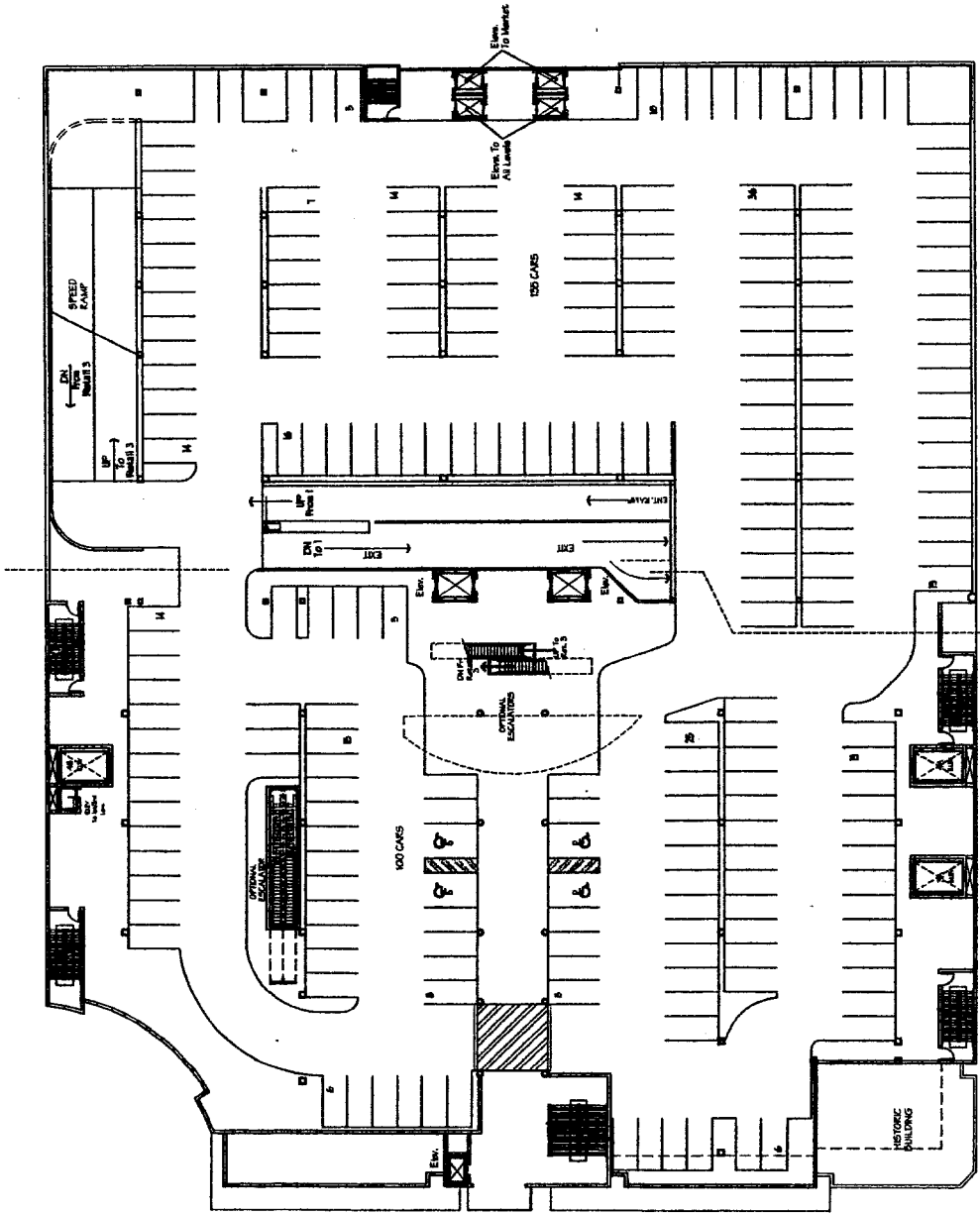
Professional Seal
State of Florida
No. 12454
Date: 09/11/09

robin bosco
architects &
planners, inc.
1000 N. W. 10th Avenue, Suite 100
Fort Lauderdale, FL 33304
Tel: (954) 551-1000
Fax: (954) 551-1001
www.robinbosco.com

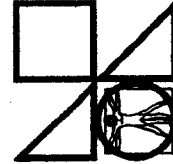
FIRTH
ALTON
SOULTH
BEACH

CONCEPTUAL DESIGN
BERKOWITZ DEVELOPMENT GROUP, INC.
2665 S. BAYVIEW DRIVE, Suite 1200
MIAMI, FLORIDA 33155
(305) 854-2800 Tel / (305) 859-8300 Fax

DISCLAIMER:
THESE PLANS ARE FOR CONCEPTUAL
DESIGN PURPOSES ONLY. ALL DIMENSIONS,
INFORMATION, DIMENSIONS & SIZES ARE
SUBJECT TO CHANGE WITHOUT NOTICE.
2. ERTS AND/OR STAKEOUTS SHALL BE
OBTAINED AND SHOWN AS REQUIRED BY
CODES AND TENANT REQUIREMENTS.

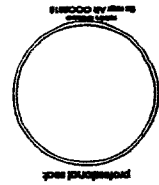


2 PARKING LEVEL PLAN
Scale: 1" = 20'

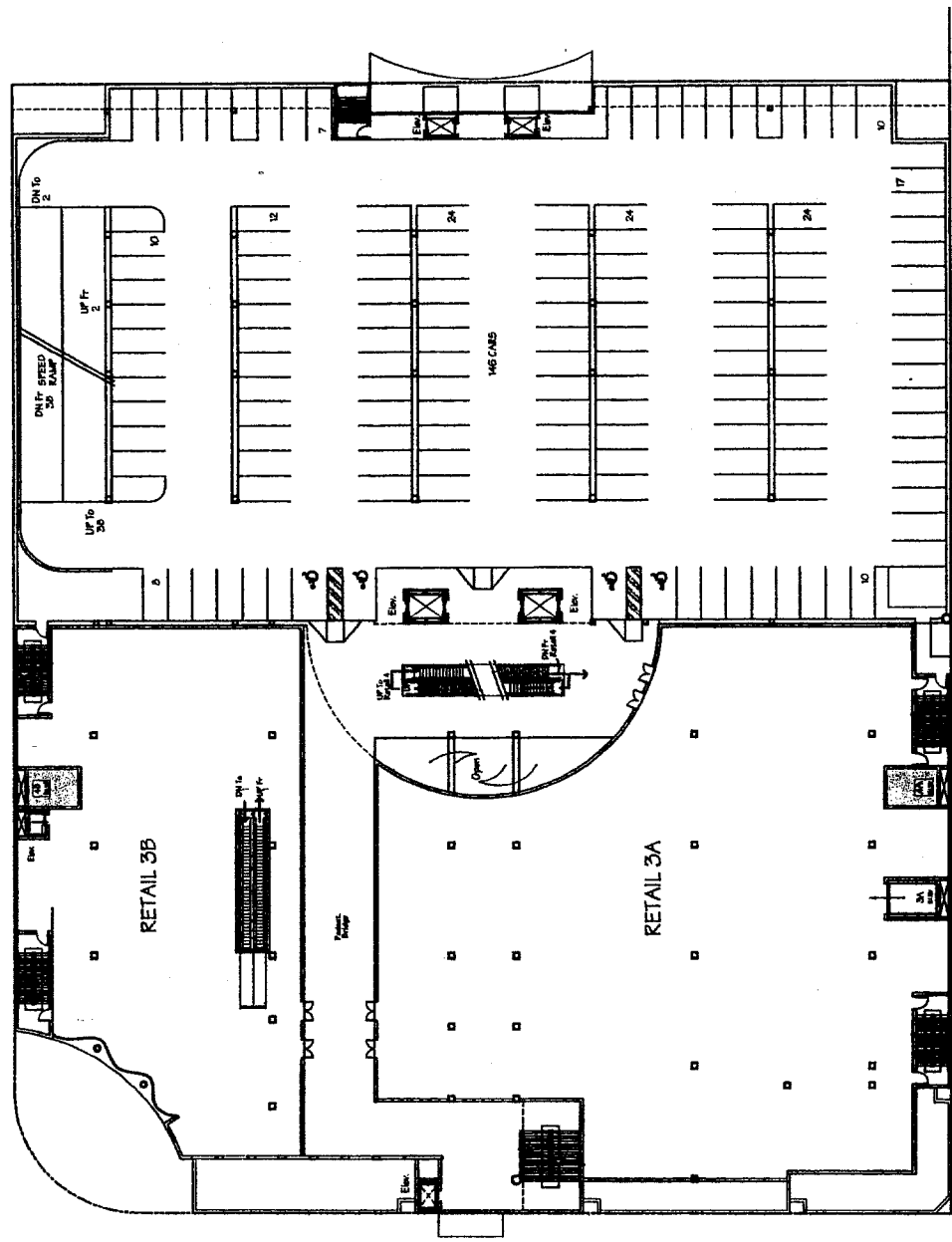


robin bosco
 architects &
 planners, inc.
 1000 N.W. 10th Avenue, Suite 1000
 Fort Lauderdale, FL 33311
 (305) 555-1111
 www.robinbosco.com

NOT TO SCALE
 PRELIMINARY
 FOR INFORMATION ONLY
 NOT FOR CONSTRUCTION
 ALL DIMENSIONS ARE IN FEET AND INCHES
 ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE
 ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE
 ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE

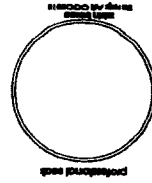


Professional Seal
 Registered Professional Engineer
 No. 12345
 State of Florida
 License No. 12345
 Date of Issuance: 12/31/2010
 Expiration Date: 12/31/2015
 License Type: Professional Engineer
 License Category: Mechanical
 License Subcategory: Mechanical
 License Subcategory: Mechanical
 License Subcategory: Mechanical



NOTES:
 1. THIS PLAN IS FOR CONCEPTUAL
 DESIGN PURPOSES ONLY. ALL DIMENSIONS
 INFORMATION, DIMENSIONS & SIZES ARE
 SUBJECT TO CHANGE WITHOUT NOTICE.
 2. ALL DIMENSIONS ARE TO FACE UNLESS
 NOTED OTHERWISE.
 3. ALL DIMENSIONS ARE TO FACE UNLESS
 NOTED OTHERWISE.
 4. ALL DIMENSIONS ARE TO FACE UNLESS
 NOTED OTHERWISE.

RETAIL 3 LEVEL PLAN
 SCALE: 1/8" = 1'-0"



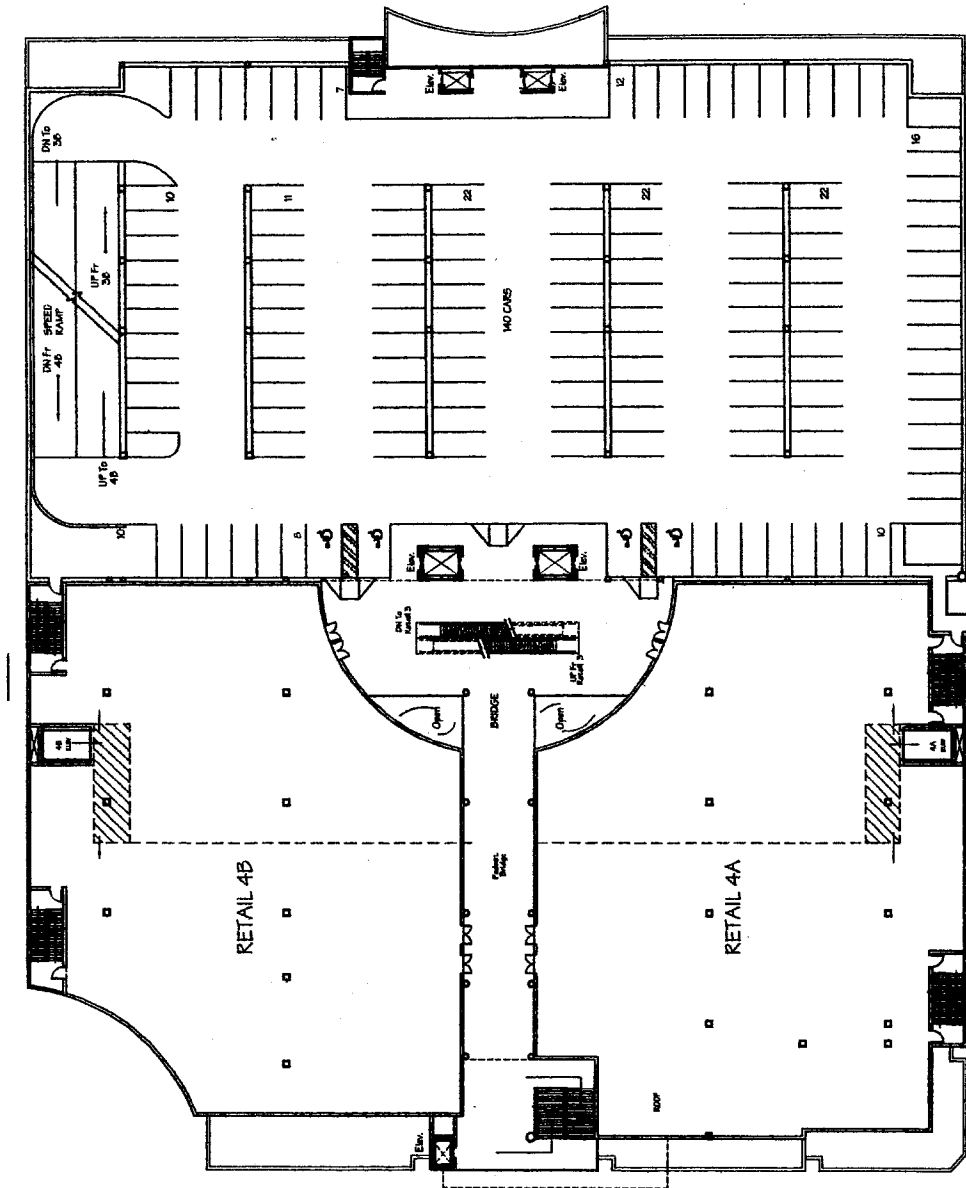
© 2002 National Business Publications & Printing, Inc.
1-800-855-5555. All rights reserved. No part of this publication may be reproduced without written permission from National Business Publications & Printing, Inc.
The above information is for informational purposes only. It is not intended to constitute an offer of insurance or any other financial product. For more information, please contact your insurance broker or agent.

2007 published by Springer, 2008
revised, 2009. ISBN 978-1-4020-9254-9

FIFTH ALTON SEARCH

BRUKOWITZ DEVELOPMENT
2665 S. BAYSHORE DRIVE/Suite 1200
MIAMI, FLORIDA 33133
(305) 854-2800 T.D. / (305) 859-8300 Fax

BERKKOWITZ DEVELOPMENT GROUP, INC.



DISCLAIMER
1. THESE PLANS ARE FOR CONCEPTUAL DESIGN PURPOSES ONLY. ALL DESIGNS, INFORMATION, DIMENSIONS & SIZES ARE SUBJECT TO CHANGE WITHOUT NOTICE.
2. ERTS AND/OR SITE LOCATIONS AND SIZES TO BE MODIFIED AS REQUIRED BY CODES AND TENANT REQUIREMENTS.

$$\mathbb{Z}$$

~~RETAIL 4 LEVEL PLAN~~

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING THE FIRST PUBLIC HEARING, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 163.3220 - 163.3243, FLORIDA STATUTES, ALSO REFERRED TO AS THE FLORIDA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT, ON WEDNESDAY, MARCH 17, 2004, TO CONSIDER APPROVING, ON FIRST READING, A PROPOSED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND AR&J SOBE, LLC (a/k/a POTAMKIN/BERKOWITZ) FOR THE DEVELOPMENT OF THE PROJECT, PRESENTLY REFERRED TO AS "5TH AND ALTON", CONTAINING APPROXIMATELY 179,000 SQUARE FEET OF RETAIL AREA AND A SUPERMARKET AND AN APPROXIMATE 943 SPACE PARKING GARAGE FACILITY, INCLUDING AN INTERMODAL/TRANSPORTATION COMPONENT, AN INTEGRATED PARKING GARAGE, VERTICAL TRANSPORTATION, RAMPS, VENTILATION, ETC., AND SURROUNDING STREETScape AND PUBLIC INFRASTRUCTURE TO SERVE THE PROJECT, BOUNDED BY LENOX AVENUE ON EAST, ALTON ROAD ON WEST, 6TH STREET ON NORTH AND 5TH STREET ON THE SOUTH, IN MIAMI BEACH.

WHEREAS, in July 2002, the Administration began meeting with representatives of the site generally located on 5th Street and Alton Road, owned by the Potamkin family, to review a preliminary site plan for a five (5) level mixed-use retail complex, including over 900 parking spaces; and

WHEREAS, one of the proposed commercial uses for the project included a supermarket and, to that end, Publix issued a letter of intent to lease a ground floor area in the complex; and

WHEREAS, in accordance with the City Commission's directive and the community's identified needs, the City's interest in the project development was primarily focused on achieving the public benefit of locating a supermarket, exploring transit and excess parking opportunities, and developing a gateway project at one of the City's main arterial entryway; and

WHEREAS, the proposed site contains approximately three (3) acres, and a vacation of the public alley would also be required for the project to proceed; and

WHEREAS, on October 25, 2002, the Finance and Citywide Projects Committee discussed this proposal to determine the City's interest in the project and the Committee made a motion to authorize the Administration to move forward and fine tune negotiations with the project developers; and

WHEREAS, over the past year, the City Administration has worked diligently with the project developers to negotiate terms that would serve in the mutual best interest of the parties; and

WHEREAS, a term sheet, reflecting the terms negotiated by the parties, was presented to the Finance and Citywide Projects Committee on December 22, 2003; and

WHEREAS, the project developers continue with their outreach initiative, scheduling meetings with various Citywide committees to present the proposed project schematics and to obtain community input; and

WHEREAS, concurrent actions required to finalize a Development Agreement include negotiation of a:

- Declaration of Restrictions and Reciprocal Easement Agreement ("DR&REA") that will govern the parties and the operation and management of the public garage within the project;
- Final operating proforma for the operation and management of the garage within the project;
- Clarification of all Federal Transportation Administration (FTA) funding requirements and restrictions; and

WHEREAS, subject to these conditions, the Administration recommends setting the Public Hearing to approve the Development Agreement on First Reading on March 17, 2004, the Second Public Hearing will include the City Commission's consideration of the DR&REA.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby set the first Public Hearing, in accordance with the requirements of Sections 163.3220-163.3243, Florida Statutes, also referred to as the Florida Local Government Development Agreement Act, on Wednesday, March 17, 2004, to consider approving, on first reading, a proposed Development Agreement between the City of Miami Beach and AR&J SOBE, LLC (a/k/a Potamkin/Berkowitz) for the development of the project, presently refereed to as "5th and Alton", containing approximately 179,000 square feet of retail area and a supermarket and an approximate 943 space parking garage facility, including an intermodal/transportation component, an integrated parking garage, vertical transportation, ramps, ventilation, etc., and surrounding streetscape and public infrastructure to serve the project, bounded by Lenox Avenue on East, Alton Road on West, 6th Street on North and 5th Street on the South, in Miami Beach.

PASSED and ADOPTED this ____ day of February 2004.

MAYOR

ATTEST:

CITY CLERK

JMG/CMC/rar

T:\AGENDA\2004\Feb2504\Consent\Potamkin.RES.doc

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

 2-20-04
City Attorney Date

THIS PAGE INTENTIONALLY LEFT BLANK